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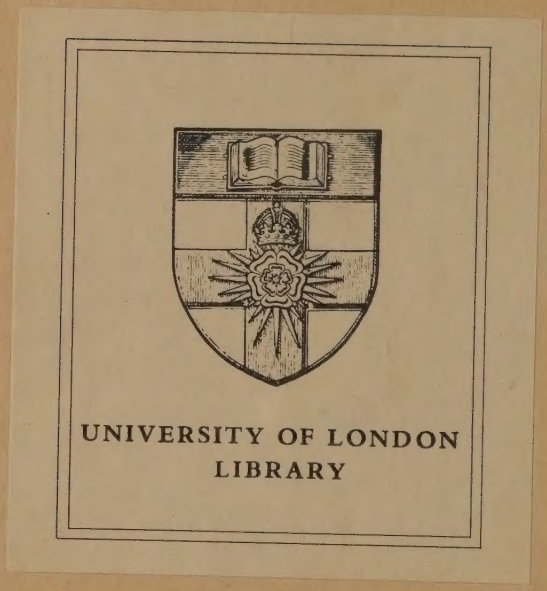

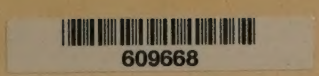
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REPORTS

FROM

COMMITTEES:

SEVEN VOLUMES.

— *(2.)* —

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS.

Session

12 *March* 1894——25 *August* 1894.

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1894.

SEVEN VOLUMES:—CONTENTS OF THE

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N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS:

232. Report from the Joint Select Committee of the House of Lords and the House of Commons on Canal Rates, Tolls, and Charges Provisional Order Bills; with the Proceedings of the Committee, Minutes of Evidence, and Index. p. 1

REPORT

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS AND THE HOUSE OF COMMONS,

ON

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND INDEX.

Ordered, by The House of Commons, *to be Printed*,
23 *July* 1894.

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ORDERS OF REFERENCE.

Canal Rates, Tolls, and Charges Provisional Order Bills.

Ordered,—[*Monday*, 7*th May* 1894]:—That all Bills of the present Session to confirm Provisional Orders made by the Board of Trade under "The Railway and Canal Traffic Act, 1888," containing the Classification of Merchandise Traffic and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, be referred to a Joint Committee of Lords and Commons.

Ordered,—That a Message be sent to the Lords to communicate this Resolution and desire their concurrence.

[*Thursday*, 10*th May* 1894]:—Message from the Lords,—That they concur with the Commons in their Resolution "That all Bills of the present Session to confirm Provisional Orders made by the Board of Trade under 'The Railway and Canal Traffic Act, 1888,' containing the Classification of Merchandise Traffic and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, be referred to a Joint Committee of Lords and Commons," as desired by this House.

[*Friday*, 25*th May* 1894]:—Resolution of the House of the 8th day of May relative to Canal Rates, Tolls, and Charges Provisional Order Bills, which was ordered to be communicated to the Lords, and the Message from the Lords of the 10th day of May, signifying their concurrence in the said Resolution, read.

Ordered,—That the following Bills be committed to a Select Committee of Five Members, nominated by the Committee of Selection, to be joined with a Committee of Five Lords:—

Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgwater, &c. Canals) Bill.

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c. Canals) Bill.

Ordered,—That all Petitions in favour of or against the Bills or Orders scheduled thereto presented five clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills.

Ordered,—That a Message be sent to the Lords to acquaint their Lordships that the said Bills have been committed to Five Members of this House, to be joined with a Committee of Five Lords, pursuant to the Resolution of the House relative to Canal Rates, Tolls, and Charges Provisional Order Bills of the 8th day of May, and to the Message from the Lords of the 10th day of May, signifying their concurrence in the said Resolution.

[*Friday*, 1*st June* 1894]:—Sir John Mowbray reported from the Committee of Selection; That they had nominated the following Five Members to serve on the Joint Committee on Canal Rates, Tolls, and Charges Provisional Order Bills:—

Mr. Brunner.	Mr. Spicer.
Sir William Houldsworth.	Mr. Samuel Young.
Sir Albert Rollit.	

[*Monday*, 4*th June* 1894] (*see* Lords' Minutes):—The following Lords were named of the Committee: Duke of Richmond, Earl of Lauderdale, Lord Clifford of Chudleigh, Lord Herries, and Lord Hawkesbury.

[*Monday*, 4*th June* 1894]:—Message from the Lords,—That they have appointed a Committee, consisting of Five Lords, to join with the Committee of the Commons (pursuant to Message of this House) for the consideration of the following Bills, viz.:—

Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and and other Railway Companies) Bill;

Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgwater, &c. Canals) Bill;

Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c. Canals) Bill;

and they propose that the said Joint Committee do meet in Committee Room No. 1, on Friday next, at half-past Eleven o'clock.

Lords' Message considered.

Ordered,—THAT the Committee appointed by this House to join with the Committee of the Lords to consider Canal Rates, Tolls, and Charges Provisional Order Bills do meet the Committee appointed by the Lords accordingly, in Committee Room No. 1, on Friday next, at half-past Eleven o'clock, as proposed by their Lordships.

Message to the Lords to acquaint them therewith.

Ordered,—THAT Three be the Quorum of the Committee.

[*Thursday, 7th June* 1894]:—Sir John Mowbray reported from the Committee of Selection; That they had discharged the following Member from the Joint Committee on Canal Rates, Tolls, and Charges Provisional Order Bills:—Mr. Brunner; and had appointed in substitution: Mr. Joseph Richardson.

[*Tuesday, 12th June* 1894]:- Sir John Mowbray reported from the Committee of Selection; That they had discharged the following Member from the Joint Committee on Canal Rates, Tolls, and Charges Provisional Order Bills:—Sir Albert Rollit; and had appointed in substitution: Sir Richard Paget.

[*Friday, 15th June* 1894]:—

Canal Tolls and Charges Provisional Order (No. 4) (Birmingham Canal) Bill;

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill;

Canal Tolls and Charges Provisional Order (No. 6) (River Lee, &c.) Bill;

Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill;

Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill;

Canal Rates, Tolls, and Charges Provisional Order (No. 9) (River Larke) Bill;

Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill;

Canal Tolls and Charges Provisional Order (No. 11) (Lagan, &c. Canals) Bill;

Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c. Canals) Bill;

Local Government (Ireland) Provisional Orders (No. 14) Bill;

read a second time, and committed.

Ordered,—[*Thursday, 21st June* 1894]:—THAT the Order [25th May] that all Petitions in favour of or against the Bills or Orders scheduled thereto, presented five clear days before the meeting of the Committee be referred to the Committee, that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills, be suspended in the case of the Petition of the Company of Proprietors of the Erewash Canal against the Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c., Canals) Bill, and that the said Petition be referred to the Joint Committee on the Canal Rates, Tolls, and Charges Provisional Order Bills, and that the Petitioners may be heard by themselves, their Counsel, or Agents, and Witnesses, against the said Bill.

Ordered,—[*Tuesday, 26th June* 1894]:—THAT the Order [25th May] that all Petitions in favour of or against the Bills or Orders scheduled thereto, presented five clear days before the meeting of the Committee be referred to the Committee, that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills, may be suspended in the case of the Petitions of the Trent Navigation Company and the Newark Navigation Commissioners against alteration of the Canal Tolls and Charges Provisional Order (No. 2) (Bridgewater, &c., Canals) Bill, and that the said Petitions be referred to the Joint Committee on the Canal Rates, Tolls and Charges Provisional Order Bills, and that the Petitioners may be heard by themselves, their Counsel, or Agents, and Witnesses, against alteration of the said Bill.

Ordered,—[*Friday, 29th June* 1894]:—THAT the Order [25th May] that all Petitions in favour of or against the Bills or Orders scheduled thereto, presented five clear days before the meeting of the Committee be referred to the Committee, that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills, may be suspended in the case of the Petition of Earl Stanhope against alteration of the Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c., Canals) Bill, and that the said Petition be referred to the Joint Committee on the Canal Rates, Tolls, and Charges Provisional Order Bills, and that the Petitioner may be heard by himself, his Counsel, or Agents, and Witnesses, against alteration of the said Bill.

Ordered,—

Ordered,—[*Wednesday*, 4*th July* 1894]:—THAT the Order [25th May] that all Petitions in favour of or against the Bills or Orders scheduled thereto, presented five clear days before the meeting of the Committee be referred to the Committee, that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills, be suspended in the case of the Petition of Leonard Taylor Simpson against the Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill, and that the said Petition be referred to the Joint Committee on the Canal Rates, Tolls, and Charges Provisional Order Bills, and that the Petitioner may be heard by himself, his Counsel, or Agents, and Witnesses, against the said Bill.

Ordered,—[*Thursday*, 12*th July* 1894]:—THAT the Order [25th May] that all Petitions in favour of or against the Bills or Orders scheduled thereto, presented five clear days before the meeting of the Committee be referred to the Committee, that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills, be suspended in the case of the Petition of the Conservators of the River Cam against alteration of the Canals, Tolls, and Charges Provisional Order (No. 8) (River Cam, &c.) Bill, and that the said Petition be referred to the Joint Committee on the Canal Rates, Tolls, and Charges Provisional Order Bills, and that the Petitioners may be heard by themselves, their Counsel, or Agents, and Witnesses, against alteration of the said Bill.

[*Thursday*, 17*th July* 1894]:—THAT the Commissioners of Public Works in Ireland have leave to appear by Counsel, Agents, and Witnesses, and be heard before the Joint Committee of Lords and Commons on Canal Rates, Tolls, and Charges Provisional Order Bills, in reference to the Canal Rates, Tolls, and Charges Provisional Order (No. 11) (Lagan, &c.) Canal.

REPORT.

THE SELECT COMMITTEE appointed to join with a COMMITTEE of the HOUSE OF LORDS, to whom all Bills of the present Session to confirm Provisional Orders made by the Board of Trade under "The Railway and Canal Traffic Act, 1888," containing the Classification of Merchandise Traffic and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, were referred, have reported that they have considered the Orders contained in the following Bills, viz. :—

THE Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill; the Canal Rates, Tolls, and Charges Provisional Order (No. 2) (Bridgewater, &c., Canals) Bill; the Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c., Canals) Bill; the Canal Tolls and Charges Provisional Order (No. 4) (Birmingham Canal) Bill; the Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill; the Canal Tolls and Charges Provisional Order (No. 6) (River Lea, &c.) Bill; the Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill; the Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill; the Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill; the Canal Tolls and Charges Provisional Order (No. 11) (Lagan, &c., Canals) Bill; the Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c., Canals) Bill.

That the said Orders ought to be confirmed.

That they have considered the Order contained in the Canal Rates, Tolls, and Charges Provisional Order (No. 9) (River Larke) Bill, but the said Order having been transferred to the Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill, the Bill had not been further proceeded with, and have agreed to report the Bills, as amended, together with the Minutes of Evidence, to the House.

23 July 1894.

LORDS AND MEMBERS PRESENT, AND MINUTES OF PROCEEDINGS AT EACH SITTING OF THE COMMITTEE.

Friday, 8th June 1894.

MEMBERS PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Mr. Spicer.
Lord Clifford of Chudleigh.	Mr. Samuel Young.
Lord Herries.	
Lord Hawkesbury.	

The Duke of RICHMOND AND GORDON was called to the Chair.

The course of Proceeding was considered.

Mr. *Moon*, Mr. *Whitehead*, Mr. *Waghorn*, Mr. *Coates*, and Mr. *Frere* were heard.

[Adjourned till Thursday next, at Half-past Eleven o'clock.

Thursday, 14th June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Herries.	Mr. Richardson.
Lord Hawkesbury.	Mr. Samuel Young.
	Mr. Spicer.

The Canal Tolls and Charges Provisional Order (No. 1) Bill (Canals of the Great Northern and certain other Railway Companies) was considered.

For List of Petitioners and Counsel, *see* pages 12 to 13 of the Minutes of Evidence.

The Hon. *T. H. W. Pelham* was heard to state the provisions of the Provisional Orders.

Mr. *Moon*, Mr. *Pope*, and Mr. *Waghorn* were heard as to procedure. The Committee decided to hear, as far as possible, general objections, before those only applying to particular cases.

The Canal Tolls and Charges Provisional Order (No. 1) Bill was considered.

Preamble, *postponed.*

Clauses read, and *agreed to.*

Schedule considered.

Various Amendments were withdrawn, leave being given to bring them up in any particular case.

Mr. *Pope*, on behalf of the Great Northern Railway Company, was heard to propose, in pages 7 and 8, to leave out Section (iv.), and to insert in lieu thereof the following:—

"(iv.) Nothing in this Schedule shall alter, vary, or affect any exemption from tolls provided for by Section 129 of Act 33 Geo. 3, c. 94, relating to the Grantham Canal, in favour of any boat used for the purpose of husbandry only, or of conveying of cattle from one farm or part of a farm and lands to any other farm or lands of the same owner or occupier, subject to the conditions mentioned in the said section;"

and called the following Witness in support thereof, viz., Sir *Henry Oakley*.

The following Witnesses were examined in opposition to the said Amendment by Mr. *Whitehead*, on behalf of the Mansion House Association, viz., Mr. *Joseph Phillips*, Sir *John Thorold*, Bart., Mr. *Joseph Evans*, Mr. *A. E. Pearson*, and Mr. *T. B. Harris*.

Mr. *Soutar*, on behalf of the Duke of *Rutland*, against the Amendment, called Mr. *Henry Robert Scott*.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 15*th June* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Mr. Richardson.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

The Canal Tolls and Charges Provisional Order (No. 1) Bill was further considered.

The Amendment proposed by Mr. *Pope* (*see* Proceedings of yesterday) was further considered.

Mr. *Whitehead* was heard to oppose the said Amendment.

Mr. *Soutar* was also heard in opposition.

Mr. *Pope* was heard in reply.

The Committee decided to strike out the Sub-section (iv.), in the Order, and to insert the Amendment proposed by Mr. *Pope*.

Mr. *Whitehead*, on behalf of the Mansion House Association, moved to leave out Sub-section (iii.), page 7 (giving a bonus mileage for traffic between the Nottingham and Grantham Canals), and called Mr. *W. R. Chesters*.

The following Witness was examined in opposition to the said Amendment, viz., Mr. *Arthur Grinling*.

Mr. *Pope* was heard in opposition to the Amendment.

Mr. *Whitehead* was heard in reply.

The Committee deliberated.

Question put, That Sub-section (iii.) stand part of the Bill.—The Committee divided:

Contents, 3.	Not Contents, 6.
Duke of Richmond and Gordon.	Lord Clifford of Chudleigh.
Earl of Lauderdale.	Lord Herries.
Lord Hawkesbury.	Sir William Houldsworth.
	Mr. Spicer.
	Mr. Richardson.
	Mr. Samuel Young.

The Canals of the Great Western Railway Company were considered.

Mr. *Whitehead* was heard to propose, in page 12, at the end of Scale 4, to add, "Provided that, notwithstanding anything in the above Table, the maximum toll for Class C. traffic conveyed between Hanham Lock and Bath shall not exceed one halfpenny per ton per mile."

The following Witness was examined in support thereof, viz., Mr. *William Butcher*.

Mr. *Moon* was heard in opposition to the said Amendment, and called the following witnesses, viz., Mr. *John Mahon* and Mr. *C. F. Hart*.

The Committee refused to accept the Amendment.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 19th June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Hawkesbury.	Mr. Richardson.
	Mr. Spicer.
	Mr. Samuel Young.

For List of Petitioners and Counsel against Canal Rates, Tolls, and Charges Provisional Order Bills (Nos. 2 and 3), *see* Minutes of Evidence, pages 109 to 113).

The Canals of the Great Western Railway were further considered.

Mr. *Whitehead* was heard to propose, in page 12, in the second column of the Table, to leave out "0·90*d.*," and to insert "0·50*d.*"

Mr. *Moon* was heard in opposition thereto.

The Committee refused to accept the Amendment.

The Canals of the London and North Western Railway Company were considered.

Mr. *Moon* was heard to propose, in page 16, Scale 1, to strike out "ten miles," and insert "five miles," at head of first column; in the first column, to strike out "·75*d.*," and insert "1*d.*;" and to strike out "·85*d.*," and insert "1·10*d.*;" and, in the second column, to strike out "·65*d.*," and to insert "·60*d.*;" and, in page 17, Scale 2, in the first column, to strike out "·50*d.*," and to insert "1*d.*;" to strike out "·85," and to insert "1·25*d.*;" to strike out "1*d.*," and to insert "1·20*d.*;" and to add, as a proviso to Scale 2, "In respect of traffic in Class 6, the company may charge as for a minimum distance of two miles."

The following Witness was examined in support of the said Amendment, viz., Mr. *Jonathan Slinger.*

The Committee refused to accept the said Amendment.

Mr. *Waghorn*, on behalf of the Lancashire and Cheshire Conference, was heard to propose, in page 14, lines 33 and 34, and in page 15, Section (i.), lines 2 and 7, to omit "five shillings," and to insert "two shillings and sixpence;" and called the following Witness, viz., Mr. *Frederick Morton.*

Mr. *Waghorn* was heard in support of the said Amendment.

Mr. *Pope* was heard in opposition thereto.

The Committee deliberated.

Question put, That the words proposed to be left out stand part of the section.—The Committee divided:

Contents, 3.	Not Contents, 6.
Duke of Richmond and Gordon.	Lord Clifford of Chudleigh.
Earl of Lauderdale.	Sir Richard Paget.
Lord Hawkesbury.	Sir William Houldsworth.
	Mr. Richardson.
	Mr. Spicer.
	Mr. Samuel Young.

Then it was moved to insert, "for the broad locks, five shillings, and for the narrow locks, two shillings and sixpence."

The same was *agreed to.*

After discussion, the Committee directed that words shall be brought up to carry out this decision.

Mr. *Whitehead* was heard to propose, in page 2, after line 3, to insert the following section, viz.:—

"Nothing in this Schedule shall alter, vary, or affect any exemptions from rates, tolls, and charges provided for by Section 20 of the Act 14 Geo. 3, c. 13."

Mr. *Pope* was heard in opposition thereto.

Mr. *Balfour Browne* was heard in reply.

The Committee refused to insert the said section.

It was moved, in page 16, lines 10 and 11, to leave out "(North End) Canal and the Lancaster (South End) Canal," and to insert "Canal (North End) and the Lancaster Canal (South End)."

The same was agreed to.

[Adjourned till To-morrow at Half-past Eleven o'clock.

Wednesday, 20th June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford.	Sir Richard Paget.
Lord Hawkesbury.	Mr. Richardson.
	Mr. Spicer.

Mr. *Pelham* was heard to bring up words to carry out the decision of the Committee as to tolls on the Huddersfield Canal.

Further consideration thereof was adjourned.

The Canals of the Manchester, Sheffield, and Lincolnshire Railway Company were considered.

Mr. *Worsley Taylor*, on behalf of the Manchester, Sheffield, and Lincolnshire Railway Company, was heard to propose, in page 21, to leave out "Table A.," and to insert the following new Table, viz.:—

In respect of Merchandise comprised in the under-mentioned Classes.	Maximum Tolls. For the first 10 Miles, or any part of such Distance.	Maximum Tolls. For the next 10 Miles, or any part of such Distance.	Maximum Tolls. For the next 10 Miles, or any part of such Distance.	Maximum Tolls. For the remainder of the Distance.	Maximum Wharfage Charges.	—
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A.	0·75	0·60	0·50	0·25	1·50	A.
B.	1·00	0·80	0·60	0·35		B.
C.	1·25	1·00	0·75	0·50	3	C.
1					3	1
2					4	2
3	1·50	1·25	1·00	0·75	4	3
4					4	4
5					4	5

The following Witness was examined in support thereof, viz., Mr. *C. T. Smith.*

Mr. *Whitehead* was heard to propose, in page 21, at the end of Table A., to add: "Provided that notwithstanding anything in the above Table the maximum toll for limestone taken as

back carriage in boats which shall have previously brought and paid for at least five tons not less than nine miles on the same voyage shall on the Macclesfield Canal not exceed one farthing per ton per mile," and calls the following Witness, viz., Dr. *D. B. Hewitt.*

The Committee decided not to accept the proposed new Table, but in column No. 2 to insert 0·75*d.* for coal and coke, only on the western section of the canals; they also refused to accept the Amendment proposed by Mr. *Whitehead.*

Mr. *Worsley Taylor* was heard to propose, in page 7, line 8, to leave out "steam vessels."

The Committee refused to accept the Amendment.

Mr. *Worsley Taylor* was heard to propose, in page 19, line 43, to leave out "three," and to insert "five," and called Mr. *Alexander Ross* and Mr. *C. T. Smith.*

Mr. *Whitehead* was heard in opposition to the Amendment.

The Committee decided to insert "five," for the eastern part of the canal.

Mr. *Waghorn* was heard to propose, in page 20, to leave out lines 4 and 5, and called Mr. *Ely Andrew*, Mr. *J. W. Summers*, and Mr. *Frederick Moreton.*

Mr. *Worsley Taylor* was heard in opposition to the said Amendment.

The Committee refused to accept the Amendment.

Further consideration of the Canals of the Manchester, Sheffield, and Lincolnshire Railway Company was adjourned.

The Canals of the Midland Railway Company were considered.

Mr. *Bidder* is heard to propose in page 23, in column 2, to leave out "0·75*d.*," and to insert "0·90*d.*" and to leave out "3·85*d.*," and calls Mr. *J. A. M'Donald* and Mr. *Joseph Shaw.*

The Committee accepted the Amendments.

Mr. *Bidder* was heard to propose, in page 21, lines 26 and 27, to omit "through one or more locks on the canal," and to insert instead "only through the lock between the Cromford Canal and the Nottingham Canal"; and in page 21, line 28, after "sixpence," to insert "or when such boat passes through any other lock or locks on the canal a minimum toll of five shillings"; and in page 21, line 29, to omit "through one or more locks on the canal," and to insert instead "only through the lock between the Cromford Canal and the Nottingham Canal"; and in page 21, line 30, after "sixpence," to insert, "or when such boat passes through any other lock or locks on the canal the sum of five shillings"; and in page 21, line 33, after "sixpence," to insert "or five shillings, as the case may be."

The Committee accepted the said Amendments.

Mr. *Bidder* was heard to propose, in page 21, after line 38, to insert "(1a) For the passage of steam vessels or barges on the canal, the company may charge such reasonable sum as they may think fit in each case to be determined in the event of dispute by an arbitrator to be appointed by the Board of Trade."

After discussion the Amendment was withdrawn.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Thursday, 21st June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Sir W. Houldsworth.
Lord Herries.	Mr. Richardson.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

The Canals of the Manchester, Sheffield, and Lincolnshire Railway Company were again considered.

The

The following Amendments to carry out the decision of the Committee were made, viz. :—

In pages 19 and 20, in special Sections applicable only to the Canals of the Manchester, Sheffield, and Lincolnshire Railway Company, leave out Section (I.) and insert—

"(I.) Where merchandise is conveyed in a boat which passes through one or more locks on the Western Canals or the Chesterfield Canal of the company, the company may charge a minimum toll of three shillings, or where merchandise is conveyed in a boat which passes through the summit-pool at Norwood on the Chesterfield Canal, the company may charge a mininum toll of six shillings.

"Where merchandise is conveyed in a boat which passes through one or more locks on the eastern canals of the company, the company may charge a minimum toll of five shillings.

"For an empty boat which passes through one or more locks on the Chesterfield Canal, the company may charge the sum of three shillings, or for an empty boat which passes through one or more locks on the Eastern Canals of the company, the company may charge the sum of five shillings; or for an empty boat which passes through the summit pool at Norwood on the Chesterfield Canal the company may charge the sum of six shillings; provided that such empty boat is not returning after delivering cargo in respect of which there has been paid to the company a toll of not less than three shillings, five shillings, or six shillings, as the case may be, or is not on its way to load cargo in respect of which a like toll will become payable to the company.

"For an empty boat which passes through one or more locks on the western canals the company may charge the sum of three shillings.

"If two narrow boats (whether carrying cargo or empty) capable of passing through a lock alongside one another, pass through a lock at the same time, they shall be reckoned for the purposes of this section as one boat."

In page 21, leave out lines 5 to 23 inclusive, and insert—

Scale 1.—*Applicable only to the Western Canals* (*that is to say, the Ashton Canal, the Peak Forest Canal, and the Macclesfield Canal*) *of the Manchester, Sheffield, and Lincolnshire Railway Company.*

In respect of Merchandise comprised in the under-mentioned Classes.	Maximum Tolls.				Maximum Wharfage Charges.	—
	For the first 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the remainder of the Distance.		
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A. (except coal, coke, and slack.)	0·50	0·45	0·25	0·15	1·50	A. (except coal, coke, and slack.)
B. *a.* (coal, coke, and slack.)	0·75	0·60	0·50	0·25		B. *a.* (coal, coke, and slack).
C.	0·85	0·65	0·55	0·35	3	C.
1	1·00	0·75	0·60	0·40	3	1
2					4	2
3					4	3
4					4	4
5					4	5

Scale 2.—Applicable only to the Eastern Canals (that is to say, the Sheffield Canal, the River Dun Navigation, the Deurn and Dove Canal and the Stamforth Keadly Canal) of the Manchester, Sheffield, and Lincolnshire Railway Company.

Classes.	First 10 Miles.	Next 10 Miles.	Next 10 Miles.	Remainder of Distance.	Wharfage.
	d.	*d.*	*d.*	*d.*	*d.*
A.	0·50	0·45	0·25	0·15	1·50
B.					
C. (except grain, timber, and iron and steel.)	0·85	0·65	0·55	0·35	3
Grain, timber, and iron and steel in Class C.	1·25	1·00	0·75	0·50	3
1	1·00	0·95	0·85	0·60	3
2					4
3					4
4					4
5					4

Scale 3.—Applicable only to the Chesterfield Canal of the Manchester, Sheffield, and Lincolnshire Railway Company.

In respect of Merchandise comprised in the under-mentioned Classes.	Maximum Tolls.				Maximum Wharfage Charges.	——
	For the first 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the remainder of the Distance.		
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A.	0·50	0·45	0·25	0·15	1·50	A.
B.						B.
C.	0·85	0·65	0·55	0·35	3	C.
1	1·00	0·75	0·60	0·40	3	1
2					4	2
3					4	3
4					4	4
5					4	5

The Canals of the North Eastern Railway Company were considered.

Mr. *Moon* was heard to propose Amendments in page 24, Table A., viz.: "In column 2, to leave out 0·75*d.*, and to insert 0·90*d.*, and to leave out 1·00*d.*, and to insert 1·15*d.*

After discussion the said Amendments were agreed to.

The canals of the North Staffordshire Railway Company were considered.

Mr. *Littler* was heard.

Mr. *Whitehead* was heard to propose, in page 26, to leave out Section iii.

The

The following Witness was heard in opposition thereto, viz., Mr. *W. D. Phillips.*

The Committee refused to accept the Amendment.

Mr. *Littler* proposed, in page 26, at the end of Section iii., to add "and the Red Bull Aqueduct with the embankment adjacent thereto shall be taken to be equal to a distance of three miles."

The following Witnesses were examined in support of the said Amendment, viz., Mr. *W. D. Phillips* and Mr. *J. W. Burchell.*

The following Witnesses were examined in opposition to the said Amendment, viz., Mr. *George Harding* and Mr. *Lionel Wells.*

Mr. *Whitehead* was heard in opposition to the Amendment.

Mr. *Littler* was heard in reply.

The Committee deliberated.

Question put, That the words be added to the Section. The Committee divided:

Contents, 2.	Not Contents, 8.
Duke of Richmond.	Earl of Lauderdale.
Lord Hawkesbury.	Lord Clifford.
	Lord Herries.
	Sir Richard Paget.
	Sir William Houldsworth.
	Mr. Richardson.
	Mr. Spicer.
	Mr. Samuel Young.

It was proposed that the following new Sections be inserted in all the Canal Provisional Order Bills, after Section 15, viz.: "Nothing in this Schedule shall apply to pleasure-boats or affect the toll or charge, if any, which the company are authorised to charge or make in respect of such boats under the provisions of any Act of Parliament."

The same was agreed to.

Mr. *Balfour Browne* was heard to propose to insert the following new Section in all the Orders, after the last-mentioned new Section, viz.: "Except as is otherwise provided by this Schedule, all exemptions from tolls for any merchandise conveyed on the canal, provided by any Act of Parliament, shall cease to be in force."

The same was agreed to.

The Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill was considered.

Preamble postponed.

Clauses read and agreed to.

Schedule considered.

The Bridgewater, &c., Canals were considered.

Mr. *Pember*, on behalf of the Manchester Ship Canal Company, was heard to propose, in page 11, to leave out the Table in Part I., and to insert the following in lieu thereof:—

Table A.

Part I.—Maximum Rates and Charges.

Applicable only to the Bridgewater Canals Undertaking of the Manchester Ship Canal Company.

In respect of Merchandise comprised in the undermentioned Classes.	Maximum Rates for Conveyance.				Maximum Station Terminal at each end.	Maximum Service Terminals.				—
	For the first 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the remainder of the Distance.		Loading.	Unloading.	Covering.	Uncovering.	
	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	
	d.	*d.*	*d.*	*d.*	*s. d.*	*s. d.*	*s. d.*	*d.*	*d.*	
A.	1·00	0·90	0·80	0·70	– 3	—	—	—	—	A.
B.	1·20	1·10	1·00	0·75	– 3	—	—	—	—	B.
C.	1·65	1·55	1·25	1·00	– 8	—	—	—	—	C.
1	1·90	1·80	1·50	1·10	– 9	– 6	– 6	1·50	1·50	1
2	2·10	1·90	1·75	1·40	– 9	– 8	– 8	2	2	2
3	2·60	2·20	1·95	1·65	1 –	1 –	1 –	2	2	3
4	3·00	2·75	2·20	1 95	1 –	1 4	1 4	3	3	4
5	3·60	3·25	2·80	2·25	1 –	1 8	1 8	4	4	5

Page 11, omit the Table in Part II., and insert the following in lieu thereof :—

Part II.—Maximum Tolls and Wharfage Charges.

Applicable only to the Bridgewater Canals Undertaking of the Manchester Ship Canal Company.

In respect of Merchandise comprised in the undermentioned Classes.	Maximum Tolls.				Maximum Wharfage Charges.	——
	For the first 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the next 10 Miles, or any part of such Distance.	For the remainder of the Distance.		
	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton.	
	d.	*d.*	*d.*	*d.*	*d.*	
A.	0·65	0·45	0·20	0·15	1·50	A.
B.	0·70	0·50	0·25	0·15		B.
C.	0·85	0·70	0·60	0·40	3	C.
Timber	0·90	0·75	0·65	0·50	3	
1	1·00	0·75	0·65	0·50	3	1
2	1·20	0·95	0·75	0·50	4	2
3					4	3
4					4	5
5					4	5

Provided

Provided that, notwithstanding anything in the above scale the maximum toll for night soil, stable, or other unmanufactured manure conveyed on the Bridgwater Canals Undertaking from Manchester to any place in the County of Lancaster, shall be threepence per ton, and to any place in the County of Chester, shall be sixpence per ton, and such toll shall in every such case include wharfage charge where the same is payable.

The following Witness was examined in support of the Amendment, viz., Mr. *W. H. Collier.*

The following Witness was examined in opposition to the Amendment, viz., Mr. *G. H. Pease.*

Mr. *Ricketts* was heard against the Amendment.

Mr. *Balfour Browne* was heard in reply.

The Committee accepted the proposed Amendment, and rejected an Amendment proposed by Mr. *Darlington*, in page 10, to leave out Section (iv.).

Mr. *Pember* was heard to propose, in page 5, line 10, after "A" to leave out "or," and after "B" to insert "or C."

The following Witness was heard in support of the Amendment, viz.. Mr. *W. H. Collier.*

Mr. *Ricketts* was heard to object to the Amendments.

The Committee decided to accept the Amendments.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 22*nd June* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir W. Houldsworth.
Lord Clifford of Chudleigh.	Sir R. Paget.
Lord Herries.	Mr. Richardson.
Lord Hawkesbury.	Mr. Spicer.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill (Bridgwater, &c., Canals) further considered.

The Bridgwater Canal was considered.

Mr. *Pember* was heard to propose, in page 10, after Section (i.), to insert as section (ii.),—"The company may charge for the passage of tugs on the canal such reasonable sum as the company may think fit in each case, such sum to be determined in case of dispute by an arbitrator to be appointed by the Board of Trade"; and in page 10, line 10, Section (ii.), to leave out "(ii.)," and to insert "(iii.)"

The following Witness was examined in support of the Amendment, viz., Mr. *W. H. Collier.*

Mr. *Cripps* was heard in opposition thereto, and calls Mr. *C. R. Dykes*, Mr. *Walter Somerset*, Mr. *Lionel Wells*, and Mr. *Herbert Thomas.*

Mr. *Compton Smith* was heard in reply.

The Committee deliberated.

Question put, "That the Section be here inserted." The Committee divided:

Contents, 2.	Not Contents, 7.
Duke of Richmond and Gordon.	Earl of Lauderdale.
Sir Richard Paget.	Lord Clifford of Chudleigh.
	Lord Herries.
	Lord Hawkesbury.
	Sir William Houldsworth.
	Mr. Richardson.
	Mr. Spicer.

Mr. *Compton Smith* was heard to propose in page 5, line 24, after "or," to insert "for a reasonable time."

The Committee accepted the Amendment.

Mr. *Compton Smith* was heard to propose, in page 7, line 43, after "for," to insert "immediate," and called Mr. *W. H. Collier.*

The said Amendment was ordered to be made in all the Provisional Order Bills.

Mr. *Whitehead* was heard to propose, in pages 9 and 10, Section (i.), to leave out the whole of the section, and insert the following in lieu thereof:—

"(i.) When merchandise is conveyed by a bye-trader on the canal in a boat which passes through one or more locks, the company may charge a minimum toll of five shillings. For an empty boat which passes through one or more locks on the canal, or which passes on, to, or from the canal from or on to the canal of any other company, may charge a sum of five shillings. Provided that such empty boat, which is not returning after delivering cargo, in respect of which there shall have been paid to the company a minimum toll of five shillings, or is not on its way to load cargo in respect of which a like minimum toll will become payable to the company, the company may charge a minimum toll of five shillings. Provided that two boats travelling together, and capable of passing through a lock of the company alongside one another, shall be reckoned for the purposes of this section as one boat."

The Committee accepted the Amendment.

Mr. *Compton Smith* was heard to propose, in page 10, to leave out Section (iii.), and called Mr. *W. H. Collier.*

The following Witness was examined in opposition to the Amendment, viz., Mr. *J. B. Bull.*

Mr. *Ricketts* was heard in opposition thereto.

Mr. *Compton Smith* was heard in reply.

The Committee decided to strike out "Section (iii.)" in page 10.

Mr. *Compton Smith* was heard to propose, in page 10, to insert, after Section (iv.), the following as Section (v.):—

"(v.) Nothing herein contained shall affect the right of the company to make any charges in respect of any accommodation or services provided or rendered by the company at or in connection with their docks or shipping places at Runcorn or Liverpool."

The Committee accepted the Amendment.

[Adjourned till Thursday next, at Half-past Eleven o'clock.

Thursday, 28th June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Lord Clifford of Chudleigh.	Sir William Houldsworth.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.
Sir R. Paget.	

The Bridgwater Canal was again considered.

Mr. *Balfour Browne* was heard to ask the Committee to reconsider their decision as to exemptions on this Canal.

The Committee refused to re-open this question.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill, further considered.

The Canals of the Shropshire Union Railways and Canal Company were considered.

The following Amendments were agreed to, viz.:—

In page 17, Section (i.), lines 30 and 31, omit "which has passed toll free or;"

In

In page 17, Section (i.), lines 32 and 33, omit "which is entitled to pass toll free or"; and

In page 18, lines 5 to 16, omit Section (iv.)

After Table A. insert—

"Provided that, notwithstanding anything in this Schedule, the maximum tolls for stone, gravel, and other materials to be used for making or repairing any public road in any parish through which the canal passes, or for manure (other than artificial), which, under any Act of Parliament relating to the canal, would, before the passing of the Act confirming this Order, be entitled to exemption from tolls, shall not exceed one-half the maximum tolls authorised by this Schedule for Class A. merchandise."

The Rochdale Canal Order was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 212.

Mr. *Cripps*, on behalf of the proprietors of the Rochdale Canal, was heard to propose, in page 16, line 5, after "charges," to insert the words "the portion of the canal between the junction of the canal with the Bridgwater Canal and Brownsfield Lock, or any part of such portion, shall be taken as equal to five miles"; in lines 6 and 7, to omit "junction of the canal with the Bridgwater Canal," and to insert in lieu thereof "said Brownsfield Lock"; in line 10, to omit "four," and to insert "five"; and in line 10, at end of line, to add, "and each quarter of a mile of the distance between the Brearley Upper Lock and the junction of the canal with the Calder and Hebble Canal shall be taken as equal to half-a-mile."

The following Witness was examined in support of the Amendments, viz., Mr. *C. R. Dykes*.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 29th June 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Herries.	Sir William Houldsworth.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

The Rochdale Canal was again considered.

The following Witnesses were examined in support of the Amendments proposed by Mr. *Cripps* (*see* Proceedings of yesterday), viz., Mr. *C. R. Dykes*, Mr. *C. M. Royds*, and Mr. *Walter Somerset*.

Mr. *Balfour Browne* was heard in opposition to the Amendments, and called Mr. *H. T. Swindells*, Mr. *E. J. Lloyd*, and Mr. *G. H. Pease*.

The following Witnesses were examined on behalf of the Calder and Hebble Navigation, namely, Mr. *J. C. Wilson* and Mr. *F. Morton*.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 3rd July 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

The Rochdale Canal was again considered.

Mr. *Waghorn* and Mr. *Whitehead* were heard in opposition to the Amendments proposed by Mr. *Cripps* (*see* Proceedings of Thursday last).

Mr. *Cripps* was heard in reply.

The Committee refused to accept the Amendments, except in page 16, line 10, to leave out "four," and insert "five"; and the Committee also decide in page 16, line 8, to leave out "half-a-mile," and insert "three-quarters of a mile" subject to certain limitations of distance.

Further consideration thereof postponed.

Mr. *Moon* was heard to propose, in page 5, lines 38 and 39, to leave out "or other person," and in line 41, leave out "or such other person."

Ordered, that the said Amendments be made in all the Provisional Orders.

Mr. *Waghorn* was heard to propose, in page 15, lines 23, 27, and 31, to leave out "seven shillings and sixpence," and to insert "five shillings," and called Mr. *C. T. Bradbury* and *F. Morton*.

The following Witness was examined in opposition to the Amendment, viz., Mr. *C. R. Dykes*.

Mr. *Moon* was heard in opposition to the Amendment.

The Committee refused to accept the Amendment.

Mr. *Moon* was heard to propose, in page 15, line 25, to leave out "10*s.*," and to insert "15*s.*"

The Committee refused to accept the Amendment.

Mr. *Moon* was heard to propose, in page 16, line 35, to leave out "6*d.*," and to insert "8*d.*"

The Committee refused to accept the Amendment.

Mr. *Moon* was heard to propose, in page 16, line 36, to leave out "5*d.*," and to insert "6*d.*"

The same was agreed to.

Further consideration of this canal was adjourned.

The Trent Navigation Order was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 309.

Mr. *Coward* was heard on behalf of the Trent Navigation Company.

Mr. *Balfour Browne* was heard to propose, in page 21, line 9, to omit "20," and substitute "10."

[Adjourned till To-morrow, at half-past Eleven o'clock.

Wednesday, 4th July 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Herries.	Mr. Samuel Young.
Lord Hawkesbury.	

The Rochdale Canal was again considered.

Mr. *Moon* was heard to propose, in page 17, in Table A., Part ii., opposite "B" in the first column, to leave out "0·75*d.*," and to insert "0·90*d.*," and opposite C. to leave out "1·00*d.*," and to insert "1·20*d.*"

The following Witness was examined in support thereof, viz., Mr. *Walter Somerset*.

Mr. *Balfour Browne*, Mr. *Waghorn*, and Mr. *Whitehead*, were heard in opposition thereto, and to propose reductions in the tolls.

Mr. *Cripps* was heard in reply.

The Committee refused to accept any of the Amendments.

It was moved, in page 17, in the third column of the Table, to leave out "0·50*d.*, 0·60*d.*, and 0·85*d.*," and to insert "0·40*d.*, 0·50*d.*, and 0·75*d.*"

The

The Committee deliberated.

Question put, That the Amendment be agreed to. The Committee divided:

Contents, 5.	Not Contents, 3.
Lord Herries.	Duke of Richmond and Gordon
Lord Hawkesbury.	Earl of Lauderdale.
Sir William Houldsworth.	Lord Clifford.
Mr. Spicer.	
Mr. Samuel Young.	

The Trent Navigation Order was again considered.

Mr. *Balfour Browne* was further heard in support of this Amendment (*see* Proceedings of yesterday), and called Mr. *Joshua Fellowes.*

The Committee refused to accept the Amendment, expressing as yet no opinion on the subject of plaster.

Mr. *Whitehead* was heard to propose, in page 21, line 17, to insert "0·30*d.*" and "0·15*d.*" as the Tolls of Class C., and called Mr. *Joshua Fellowes.*

Mr. *Coward* was heard in opposition to his Amendment.

The Committee rejected the Amendment.

Mr. *Whitehead* was heard to propose the following Amendment, in page 21, line 26, to leave out "two-pence," and insert "one penny halfpenny."

The following Witness was examined in support thereof, viz., *Frank B. Harris.*

The Committee refused to accept the Amendment.

Mr. *Whitehead* was heard to propose that "plaster" shall be charged in Classes A. and B., and called Mr. *R. P. Cafferatta.*

Mr. *Coward* was heard in opposition thereto, and called Mr. *Frank Rayner.*

The Committee decided that plaster should be in a separate class charged "0·30*d.*" for the first 20 miles, and "0·15*d.*" for the rest of the distance.

[Adjourned till To-morrow, at half-past Eleven o'clock.

Thursday, 5th July 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Sir William Houldsworth.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill further considered.

The Trent Navigation Order was again considered.

Mr. *Whitehead* was heard to propose, in page 21, at the foot of Scale 2, to insert a further proviso: "Provided that notwithstanding anything in the above scale, the maximum toll for merchandise passing down the Navigation from Durham Shoal to Gainsborough, or any portion of such distance, shall not exceed the sum of 1*s.* per boat-load."

The following Witness was examined in support thereof, viz., Mr. *W. Rainforth.*

Mr. *Coward* was heard in opposition to the Amendment.

The Committee decided to accept the Amendment.

It was proposed, in page 20, after Sub-Section ii, to insert a new Sub-Schedule, viz.:—

iii. "In the event of the lease authorised by the Trent (Burton-upon-Trent and Humber) Navigation Act, 1887, to the Company of the Newark Navigation being determined, the Newark Navigation Commissioners may charge the tolls and wharfage charges authorised by this Schedule in respect of the Newark Navigation.

The same was agreed to.

Canal Tolls and Charges Provisional Order (No. 1) Bill was again considered.

The Canals of the Great Northern Railway Company (Beeston Cut) were again considered.

Mr. *Whitehead* was heard to propose, in page 8, after Section V., to insert the following new Section, viz. :—

"Nothing in this Schedule shall alter, vary, or affect the provisions contained in Section 120 of the Act, 32 Geo. III., c. 100."

Mr. *Balfour Browne* was heard in opposition to the said Amendment, and called Mr. *Arthur Grinling*.

An agreement having been arrived at, further consideration thereof was adjourned.

Canal Tolls and Charges Provisional Order (No 3) Bill was considered.

The Canals of the Stourbridge Navigation Company were considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 354.

It was proposed in page 41, after line 1, to insert as a new section, "Where merchandise is conveyed in a boat which passes through one or more locks on the canal, the Company may charge a minimum toll of 3*s*. For an empty boat, which passes through one or more locks on the canal, the Company may charge the sum of 3*s*. Provided that such empty boat is not returning after delivering cargo in respect of which there has been paid to the Company a toll of not less than 5*s*., or is not on its way to load cargo, in respect of which a like toll will become payable to the Company ;" in page 41, line 33, after the "canal" to insert "for consumption, use, or manufacture, at works on the canal, or disposal as spoil on the canal ;" in page 42, line 3, after "the canal" to insert "for consumption, use, or manufacture, at works on the canal, or disposal as spoil on the canal."

The same was agreed to.

The Beverley Beck Canal Order was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 354.

Mr. *Whitehead*, on behalf of the Mansion House Association, was heard to propose, in page 10, to leave out the second column in Scale I., and to insert the following two columns, viz. :—

Maximum Tolls for any Distance.	Maximum Wharfage Charges.
Per Ton.	Per Ton.
d.	*d.*
1·50	1·50
1·50	3.00
2·00	3·00
	4·00
	4·00
2·00	4·00
	4·00

The following Witness was examined in support thereof, viz., Mr. *J. C. Barker*.

The Committee refused to accept the Amendment.

The Calder and Hebble Navigation Order was considered.

For list of Petitioners, Council, &c., *see* Minutes of Evidence, page 363.

Mr. *Whitehead*, on behalf of the Mansion House Association, was heard to propose, in page 13, to leave out Section (iii), and called Mr. *Frederick Impey* and Mr. *W. Mellor*.

[Adjourned till To-morrow, at half-past Eleven o'clock.

Friday, 6th July 1894.

MEMBERS PRESENT :

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Sir William Houldsworth.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	

Canal Rates, Tolls, and Charges Provisional Order (No. 3) Bill was again considered.

The Calder and Hebble Order was again considered.

The

The following Witness was examined in support of the Amendment proposed by Mr. Whitehead (*see* Proceedings of yesterday), viz., Mr. *John Hunt*.

Mr. *Balfour Browne* was heard in opposition thereto, and called Mr. *H. P. Swindells*, Mr. *William Hiles*, Mr. *John Foster Milner*, and Mr. *Edward Lloyd*.

Mr. *Balfour Browne* was further heard in opposition to the Amendment.

Mr. *Whitehead* was heard in reply.

The Committee refused to accept the Amendment.

Mr. *Carr* on behalf of the Calder and Hebble Navigation Company was heard to propose, in page 13, to leave out Section iv., and called Mr. *H. P. Swindells*.

The Committee refused to accept the Amendment.

The Erewash Canal was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 405.

Mr. *Souttar* on behalf of the Erewash Canal Company was heard to propose, in page 20, to leave out lines 1 to 9, inclusive, and called Mr. *G. H. Woolley*.

Mr. *Lankester* on behalf of Earl Stanhope was heard to object to the said Amendment, and called Mr. *Wright Lissett*.

The Committee refused to accept the Amendment.

The Lower Medway Navigation was considered.

An agreement between the parties having been arrived at, the following Amendments were ordered to be made, viz.:—In page 31, after Table A., to insert, "provided that on articles carried through to and from the Medway Upper Navigation, and delivered outside the parish of Maidstone, the maximum tolls on manure, chalk, stone, sand, and gravel, shall not exceed one penny per ton; on bricks, shall not exceed twopence per ton; on other articles in Classes A. and B., shall not exceed twopence halfpenny per ton; on coals and packed manures, twopence halfpenny per ton; and on articles (except packed manures) in Classes C. to 5, threepence halfpenny per ton"; and in page 49, after "2" to insert: "Provided that in the case of the Lower Medway Navigation the sum to be charged for petroleum oil in barrels, matches, and gunpowder carried through to and from the Medway Upper Navigation and delivered outside the parish of Maidstone, shall not exceed threepence halfpenny per ton."

Canal Rates, Tolls, and Charges Provisional Order (No. 1) Bill again considered.

The Beeston Cut of the Canals of the Great Northern Railway Company was again considered.

The following section to carry out the decision of the Committee was ordered to be inserted in page 8, line 12, viz.: "(iv.) Notwithstanding anything in this Schedule, where a boat, whether conveying merchandise or empty, passes from the Beeston Cut, belonging to the Trent Navigation Company, over the Nottingham Canal and into the River Trent at Sneinton Meadow, or *vice versâ*, the maximum toll shall not exceed the sum of one shilling per boatload, or one shilling for such empty boat, as the case may be, provided that such boat does not load or re-load any merchandise at any place on the Nottingham Canal, or at any place within the borough of Nottingham on the River Trent.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 10*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Herries.	Mr. Samuel Young.
Lord Hawkesbury.	

Canal Rates, Tolls, and Charges Provisional Order (No. 4) Bill (Birmingham Canal) considered.

The Birmingham Canal Order was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 347.

Mr. *Bidder* was heard to state that if the Committee was willing to adjourn, the parties would probably be able to come to an agreement.

After discussion, the Committee consented.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 11*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Herries.	Sir William Houldsworth.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Yonng.

Canal Rates, Tolls, and Charges Provisional Order (No. 4) Bill (Birmingham Canal) further considered.

The Birmingham Canal Order was again considered.

Mr. *Bidder* was heard to state that an agreement has been arrived at with all the opponents except one.

Mr. *Erskine Pollock* was heard on behalf of the said opponent, the Warwick and Birmingham Canal Company.

The following Amendments were ordered to be made in the order, viz.:—

In page 4, line 13, after the words "all reasonable times" insert the words "for the purpose of ascertaining the carrying capacity of such boat."

In page 4, lines 23 to 26, omit the portion of this section between the words "on his behalf" and the words "any difference."

In page 6, line 6, insert at the beginning of the clause, "(A.) Where merchandise is conveyed on the canal to or from a railway basin or railway wharf in a boat which does not pass through a lock, the Company may charge a minimum toll of three shillings, but where such boat passes through a lock the Company may charge a minimum toll of five shillings."

In page 6, line 5, after the word "canal" insert "to or from a place other than a railway basin or railway wharf."

Line 9, after the word "conveyed" insert "to or from a place other than a railway basin or railway wharf."

In page 6, lines 15—16, omit the words "(conveyed by the same route)."

In lines 17—18, omit the words "(to be conveyed by the same route)."

In lines 12—13, omit the words "or through the Netherton Tunnel."

In page 6, after Clause 15, add New Clause, No. 16:—"For an empty boat which passes through the Netherton Tunnel, and which is not on its way to load cargo to be conveyed, or returning after delivering cargo which has been conveyed through such tunnel, the Company may charge a minimum toll of three shillings."

In page 6, line 20, alter number of Clause from 16 to 17.

Mr. *Bidder* was heard to propose to leave out, in page 6, Section 17, and insert the following Section, No. 18:—

"(A.) For the purpose of calculating the distance over which any merchandise is conveyed, and for all purposes of tolls and charges, any boat which has passed over any of the branches and canals following shall, in respect of each such branch or canal over which, or any part of which respectively, it shall have passed, be deemed to have travelled for two miles on the canal in addition to the distance which it has actually travelled:—Titford Canal, Bradley Branch Extension, Walsall Junction Branch, Anglesey Branch, Nechells Branch, Churchbridge Branch, Canal from the Stourbridge Canal at Black Delph to the bottom of Park Head Locks, the Canal between the top lock at Wolverhampton and Autherley Junction.

"(B.) For the purpose of calculating the distance over which any merchandise is conveyed, and for all purposes of tolls and charges, any boat which has passed through any of the following flights of rocks, or through one or more locks thereof respectively, shall, in respect of each such flight through which or one or more locks of which respectively it shall have passed, be deemed to have travelled for one mile on the Canal, in addition to the distance which it has actually travelled:—Brades Hall, Tipton Green, Tipton Factory, Oldbury (Titford), Bradley, Walsall, Ogley, Rushall, Bentley, Park Head, Two Lock Line, Churchbridge, Black Delph, Farmer's Bridge.

"(C.) In

"(c.) In calculating the distance for all purposes of tolls and charges each quarter of a mile of the Canal in or near Birmingham, lying between the Winson Green Road, Winson Green, the junction with the Worcester and Birmingham Canal at the Worcester Bar, the junction with the Warwick and Birmingham Canal at Digbeth, and the junction with the Birmingham and Warwick Junction Canal at Salford Bridge, shall be taken as equal to half of a mile, but this sub-section shall not apply to ashes, manure, street, stable or farmyard in bulk, night soil, or stone and undressed material for the repair of roads.

"(d.) This section shall not apply to cannel, tap mill forge and coal cinders, coal, coke, culm and slack."

Mr. *Pollock* was heard to object to the Amendment, and to propose to leave out in Sub-section C. of the said Amendment, "junction with the Warwick and Birmingham Canal at Digbeth; and called Mr. *E. Lloyd.*

The Committee refused to accept the Amendment to his Amendment.

The Amendment was then *agreed to.*

The following Amendments were made in the Order, viz.:—

In page 6, alter number of Clause from 19 to 20, and make consequential alteration in number of subsequent Clauses;

In page 6, line 29, after the word "Table A.," insert the words "or in Section 15";

In page 6, line 30, after the word "cannel," add the words "tap mill forge and";

In page 6, line 36, omit "one farthing," and insert "·35*d.*";

In page 6, line 37, omit "three-pence," and insert "2·85*d.*";

In page 6, line 41, omit "one farthing," and insert ·35*d.*";

In page 7, line 2, omit "four-pence halfpenny," and insert "4·25*d.*";

In page 7, line 6, omit "one farthing," and insert "·35*d.*";

In page 7, line 8, omit "six-pence," and insert "5·65*d.*"; and

In page 7, line 43, add the following works:—"Slag works, pottery works, terra cotta works, lime works, glue works, electric power producing works, electrical material manufacturing works, and waterworks."

It was proposed by Mr. *Bidder*, in page 9, to omit the proposed Table A., Part I, and to insert instead thereof the following Table:—

TABLE A.

PART I.—MAXIMUM TOLLS AND WHARFAGE CHARGES.

Scale No. 1.—Applicable to all articles comprised in the classification, except cannel, tap mill forge and coal cinders, coal, coke, culm and slack.

In respect of Merchandise comprised in the undermentioned Classes, except as above.	Maximum Tolls. For the first 3 Miles, or any part of such Distance.	Maximum Tolls. For the next 10 Miles, or any part of such Distance.	Maximum Tolls. For the next 10 Miles, or any part of such Distance.	Maximum Tolls. For the remainder of the Distance.	Maximum Wharfage Charges.	———
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A (Division 1)	0·50	0·50	0·25	0·15	1·50	A (Division 1)
A (Except Division 1) and B	1·20	0·75	0·25	0·15	1·50	A (Except Division 1) and B
C (Except timber)	1·20	0·85	0·50	0·25	3	C (Except timber)
For timber	1·30	0·95	0·55	0·35	3	For timber
1					3	1
2					4	2
3	1·45	1·00	0·60	0·40	4	3
4					4	4
5					4	5

Division 1 of Class A. comprises the following articles: Basic slag unground, gas lime or gas purifying refuse, gravel, limestone in bulk, manure (street, stable, farmyard) in bulk, night soil, slag or scoria blast furnace and stone, and undressed material for the repair of roads, lime, gas, water, refuse and rubbish to tips and ashes.

Scale 2.—Applicable to cannel, tap mill forge and coal cinders, coal, coke, culm and slack not conveyed and intended to be *bonâ fide* and exclusively used and consumed at a district work under the provisions of Section 19 of this Schedule.

On the part of the canal between Farmer's Bridge, Birmingham, and Whittington Brook including the Digbeth Branch.

Maximum Tolls.	Maximum Wharfage Charges.
Per Ton per Mile.	Per Ton.
d.	*d.*
1	1·50

On the remainder of the Canal.

Maximum Tolls.	Maximum Wharfage Charges.
Per Ton per Mile.	Per Ton.
d.	*d.*
1·40	1·50

Notwithstanding anything in this Schedule contained, the tolls (except the Netherton Tunnel gross toll), for cannel, tap mill forge and coal cinders, coal, coke, culm and slack, to which Scale 2 is applicable, if conveyed by way of the Birmingham Top Level, to any part of the canal in Birmingham or passing on to any other canal in Birmingham by way of the Birmingham Top Level, shall not exceed 9½*d.* per ton, but in any other case shall not exceed 9*d.* per ton.

Mr. *Erskine Pollock* was heard to object thereto, and called Mr. *E. J. Lloyd.*

The Committee refused to entertain Mr. *Erskine Pollock's* objection, and agreed to the Amendment.

The following Amendments were ordered to be made, viz. :—

Page 8, after Section 22, insert a new section, as follows :—"Nothing herein contained shall affect the right of the Company to make any charges which they are authorised by any Act of Parliament to make in respect of any tramway";

Page 8, line 25, omit the definition of "the canal," and instead thereof insert the following :—"The term 'the canal' means all canals and navigations belonging to the Company, or for the use of which the Company were, at the date of the Act confirming this Order coming into operation, entitled to charge tolls, but does not include any tramway belonging to the Company."

PART 2.—EXCEPTIONAL CHARGES.

Page 9, line 38, after the word "tugs," insert the words "steam vessels";

Page 9, insert "For permitting loading or unloading merchandise upon or over a towing path or canal bank of the Company"; and

Page 9, after "Board of Trade," add the words "provided that the charge for permitting loading and unloading upon or over a towing path or canal bank of the Company shall not exceed 1*d.* per ton."

Verbal Amendments to the said Amendments considered.

Further consideration thereof was adjourned for the Board of Trade to bring up some verbal Amendments.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Thursday, 12*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Sir William Houldsworth.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill considered.

For List of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 439.

Mr. *Pope* was heard on behalf of the North Metropolitan Railway and Canal Company.

Mr. *Moon* and Mr. *Erskine Pollock* were heard on behalf of the Grand Junction Canal and the Warwick and Birmingham Canal.

Mr. *Moon* was heard to propose in page 7, after Clause 20, to insert as a new Clause 21:

"Notwithstanding anything in this Order or in Table A. hereto, the maximum tolls and charges which the Company may charge and make in respect of the under-mentioned descriptions of merchandise conveyed on the Canal between the undermentioned points, including wharfage, shall not exceed the following, viz.:—

"In respect of merchandise in all classes (except gas, liquors, coal, tar, and explosives, and except through traffic to or from Birmingham), passing—

"To or from the Grand Junction Canal and Hampstead Road Lock and points between, 7*d.* per ton, or 8*d.* per ton if towed by the Company;

"To or from the Grand Junction Canal and points between Hampstead Road Lock and Islington Tunnel, 8*d.* per ton, or 9½*d.* per ton if towed by the Company;

"To or from the Grand Junction Canal and points between Islington Tunnel and Old Ford Lock, 9½*d.* per ton, or 1*s.* per ton if towed by the Company;

"To or from the Grand Junction Canal and points beyond Old Ford Lock and the Thames and Hertford Union Canal, 10*d.* per ton, or 1*s.* per ton if towed by the Company.

"In respect of gas, liquor, and coal tar passing—

"To or from points on the Grand Junction Canal beyond Cowley Lock, 10*d.* per ton;

"To or from any point on the Grand Junction Canal short of Cowley Lock, 1*s.* 2*d.* per ton, or 1*s.* 4*d.* per ton if towed by the Company.

"In respect of through traffic in any class of merchandise passing—

"To or from Birmingham, from or to points short of Commercial Road Locks, 6*d.* per ton;

"To or from Birmingham, from or to the Limehouse Basin on the River Thames, 7*d.* per ton.

"Provided that only one-half of the above tolls shall be chargeable in respect of ashes, breeze, coke, coke-breeze and manure conveyed as a back cargo."

An arrangement is arrived at by which the rates for through traffic in the Act of 1882 are preserved, the minimum charge on the canal being raised from 6*d.* to 7*d.*, and articles loaded or unloaded in the waterway to pay an additional 3*d.* per ton.

Further consideration of the Amendments necessary to carry out this arrangement was postponed.

Canal Tolls and Charges Provisional Order (No. 6) (River Lea, &c.) Bill considered.

For List of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 449.

The River Lea Navigation Order was considered.

Mr. *Littler*, on behalf of the Lea Conservancy Board, was heard to propose in page 7, line 12, to leave out "or a boat laden only with manure exempt from toll," and in page 7, line 19, to leave out "Section (iii)."

The following witnesses were examined in support of these Amendments, viz., Mr. *George Corble* and Mr. *Thomas Gardiner*.

The following witness was called by Mr. *Pope* against the Amendment, viz., Mr. *Edward Thomas*.

Mr. *Pope* was heard on behalf of the North Metropolitan Railway and Canal Company.

Mr. *Littler* was heard in reply.

The following Amendment was proposed by Mr. *Pope* on behalf of the North Metropolitan Railway and Canal Company, viz.; in page 7, line 22, after "Navigation," to insert "or shall make liable to the payment of tolls, any other articles, materials, or things conveyed on the River Lea Navigation which are not now liable to the payment of tolls," and leave out "for the purpose of being used for the manuring of any land in any parish adjoining the said Navigation."

The Committee decided to leave out Section (iii.), and in page 7, line 12, to leave out "or a boat laden only with manure exempt from toll."

Mr. *Baggallay* was heard on behalf of the Lea Conservancy Board to propose, in page 8, to insert "For coals and coke to insert 3·0*d*."

The same was agreed to.

Mr. *Pope* was heard to propose, in page 8, line 39, after "hard core" to insert "canal or river dredgings."

Mr. *Baggallay* was heard to propose, in page 8, to leave out the second Table, and to insert instead—

In respect of Merchandise comprised in the undermentioned classes.	Maximum Tolls.		Maximum Wharfage Charges.	—
	For the first six Miles or any part of such distance.	For the remainder of the distance.		
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A	1·0	0·50	1·50	A
B				B
C	1·0	0·75	1·	C
1			3·	1
2			4·	2
3			4·	3
4			4·	4
5			4·	5

"Provided that the toll on merchandise in any class conveyed down the canal from Hertford and Ware to any point between Fieldes' Weir Lock and the head of Aqueduct Lock shall not exceed 8*d*. per ton."

The following witnesses were examined in support of the Amendment, viz., Mr. *George Corble* and Mr. *E. R. Cooke*.

The Committee decided to insert the new Table in lieu of the Table in the Order keeping in the proviso at the bottom of page 8, and adding thereto "hard or soft core and river and canal dredgings and manure (as defined in Class A of the classification)."

The following Amendment was ordered to be made in the Order, viz., after Scale 2, on page 13, insert :—"Provided that the Conservators shall not demand or receive tolls in respect of any vessel navigating westward of London Bridge to or from any point eastward of Strand-on-the-Green."

The Surrey Canal Order was considered.

The following Amendments were ordered to be made in the Order, viz.:

Page 11, line 1, omit "Surrey Canal," and insert in lieu thereof "Canal of the Surrey Commercial Dock Company.

Page 11, after line 13, insert new Section as follows: "(iii.) The distance between the River Thames and the point where the East London Railway crosses the canal immediately to the westward of the South Eastern Railway, or any part of such distance, shall be reckoned as two miles."

Page 11, line 16, omit "Surrey Canal," and insert "Canal of the Company."

The Severn Navigation Order was considered.

For list of Petitioners, Counsel &c., *see* Minutes of Evidence, Page 446.

Mr. *Pembroke Stephens* was heard on behalf of the Severn Commissioners.

The following Amendments were ordered to be made in the Order, viz.;

Page 9, line 15, strike out from "according" to end of special section (ii.), and substitute "as for a mile."

Page 9, line 19, strike out "make the tolls or charges," and substitute "levy and charge the tolls."

Page 9, line 20, strike out "make," and substitute "levy and charge."

Page 9, lines 24 and 25, strike out "tolls or charges to be made," and substitute tolls to be levied and charged."

Page 9, after line 25, insert "(iv.) Nothing in this schedule shall affect the right of the Commissioners to levy and take the tolls which they are authorised by the Severn Navigation Acts, 1842 and 1869, to levy and take for steam vessels and tugs navigating the Severn Navigation, and carrying passengers for pay or hire, and for steam tugs hauling any vessel navigating the Severn Navigation and carrying passengers for pay or hire, and on the vessels so hauled."

"(v.) Nothing in this schedule, or in the schedule to the Canal Tolls and Charges, No. 3 (Aberdare, &c., Canals) Order, 1894, confirmed by the Canal Tolls and Charges, No. 3 (Aberdare &c., Canals) Order Confirmation Act, 1894, so far as relating to the Gloucester and Berkeley Canal, shall affect the right and obligation of the Sharpness New Docks and Gloucester and Birmingham Navigation Company to levy and take, under the provisions of Section 16 of the Severn Navigation Act, 1890, the additional toll of one halfpenny per ton on all merchandise passing through the Gloucester Locks of the said Navigation Company, in any vessel whose carrying capacity exceeds 160 tons, mentioned in that section, and to pay the proceeds of such toll to the Severn Commissioners, in accordance with the provisions of the same section."

Page 9, after line 25, insert the following new clause: "Nothing in this schedule contained shall authorise the Commissioners to make any charge in respect of tugs carrying cargo, or towing boats containing cargo, beyond such tolls and charges as may be authorised in respect of the merchandise so carried or towed."

Page 9, lines 34 and 35, strike out "to be used for the purpose of agriculture."

Page 10, line 4, strike out "Birmingham and Worcester," and substitute "Worcester and Birmingham."

Page 10, line 23, strike out "below the junction of the River Avon with the River Severn at Tewkesbury," and substitute "between Gloucester and the River Avon, at Tewkesbury."

Page 10, line 26, strike out "Birmingham and Worcester," and substitute "Worcester and Birmingham."

Page 10, line 29, strike out "Birmingham and Worcester," and substitute "Worcester and Birmingham."

River Thames Navigation Order considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 469.

The following amendment was agreed to, viz.: Provided that the conservators shall not demand or receive tools in receipt of any vessel navigating westward of London Bridge to or from any point east of Strand-on-the-Green.

[Adjourned till To-morrow, at half-past Eleven o'clock.

Friday, 13th July 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.
Lord Clifford of Chudleigh.
Lord Hawkesbury.
Sir Richard Paget.
Sir William Houldsworth.
Mr. Spicer.
Mr. Samuel Young.

Canal Rates, Tolls and Charges, Provisional Order (No. 6) Bill (River Lea, &c.) further considered.

The River Weaver Navigation Order was considered.

For list of Petitioners, Counsel, &c., *see* Minutes of Evidence, page 471.

Mr. *Pember*, on behalf of the Trustees of the River Weaver Navigation, was heard to propose, in page 13, Section (ii.), to omit the whole Section; in page 14, to omit Table A, Part I., and in lieu thereof, insert the following :—

"TABLE A."

PART I.—(DIVISION I.)—MAXIMUM TOLLS AND WHARFAGE CHARGES APPLICABLE ONLY TO THE RIVER WEAVER NAVIGATION (EXCLUSIVE OF THE WESTERN CANAL).

In respect of Merchandise comprised in the undermentioned Classes.	MAXIMUM TOLLS. For the whole Distance or any part thereof.	Maxmum Wharfage Charges.	—
	Per Ton. *s.*	Per Ton. *d.*	
A.	1·00	1.50	A.
B.		1·50	B.
C.		3·	C.
1		3·	1
2		4·	2
3		4·	3
4		4·	4
5		4·	5

Trustees of the River Weaver.

" Provided that, notwithstanding anything in the above Table, the Maximum Toll for chertstone, clay (china, blue, black and ball), china stone, flints, and felspar to be used as potters' raw materials, shall in no case exceed eight pence per ton.

"PART I.—(DIVISION II.)—MAXIMUM TOLLS AND WHARFAGE CHARGES APPLICABLE ONLY TO THE WESTON CANAL.

In respect of Merchandise comprised in the undermentioned Classes.	MAXIMUM TOLLS. For the whole Distance or any part thereof.	Maximum Wharfage Charges.	—
	Per Ton. *d.*	Per Ton. *d.*	
A.	2·00	1·50	A.
B. (except Salt.)		1·50	B.
For Salt.	6·00	—	—
C.	2·00	3·	C.
1		3·	1
2		4·	2
3		4·	3
4		4·	4
5		4·	5

" Provided that, notwithstanding anything in the above Table, the Maximum Toll for brick, cinders, sandstone, and other stone or lime, shall not exceed one halfpenny per ton, nor that for coal one penny per ton.".

The following witness was examined in support of the said Amendment, viz., Mr. *Joseph Verdin.*

[Adjourned till Tuesday next, at Eleven o'clock.

Tuesday, 17*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Sir William Houldsworth.
Lord Hawkesbury.	Mr. Samuel Young.

Canal Rates, Tolls and Charges Provisional Order (No. 6) Bill further considered.

The River Weaver Navigation Order was again considered.

The following Witnesses were examined in support of the Amendment proposed by Mr. *Pember* (*see* Proceedings of Monday last), viz., Mr. *C. A. Saner* and Mr. *Hobart Inman*.

Mr. *Cripps* was heard on behalf of Messrs. Brunner, Monde, and Company, and called Mr. *Basil Hewitt*.

The following Witnesses were examined in support of the case of Messrs. Bowman, Thompson, and Company, viz., Mr. *F. H. Bowman*, Mr. *John Knowles*, and Mr. *Thomas Moore*.

Mr. *Whitehead* was heard on behalf of Messrs. Bowman, Thompson, and Company, and of the Northwich Carrying Company, and of the Northwich Traders.

Mr. *E. H. Lloyd* was heard on behalf of the Northwich Local Board, and calls Mr. *John Weston*.

Mr. *Claude Baggallay* was heard on behalf of the Winsford District Local Board, and called Mr. *George Garfit*, Mr. *John Garner*, and Mr. *William Gillett*.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 18*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

Canal Rates, Tolls and Charges Provisional Order (No. 6) Bill further considered.

The River Weaver Navigation Order was again considered.

The following Witnesses were examined on behalf of the Salt Union in opposition to the Amendments proposed by Mr. *Pember* (*see* Proceedings of Friday last), viz.: Colonel *G. H. Morrison* and Mr. *J. M. Fells*.

Mr. *Littler* was heard on behalf of the Salt Union, Limited.

Mr. *Pope* was heard on behalf of the County Council of Chester, in support of the proposed Amendment.

Mr. *Pember* was heard in reply.

The Committee deliberated.

Table A., as proposed by Mr. *Pember*, considered.

It is proposed by Mr. *Spicer* to leave out in the second column "1·00*s*." as the maximum toll for Class A., for the purpose of inserting "8·0*d*."

The Committee deliberated.

Question put, that the proposed Amendment be agreed to:

The Committee divided:

Contents, 4.	Not Contents, 4.
Lord Clifford of Chudleigh.	Duke of Richmond and Gordon.
Sir William Houldsworth.	Earl of Lauderdale.
Mr. Spicer.	Lord Hawkesbury.
Mr. Samuel Young.	Sir Richard Paget.

The numbers being equal, it was resolved in the negative.

Table A., as proposed by Mr. *Pember*, is agreed to.

Further consideration of the River Weaver Navigation Order postponed.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Thursday, 19*th July* 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Richardson.

The Canal Tolls and Charges Provisional Order (No. 6) again considered.

The River Weaver Navigation Order was again considered.

The following further Amendments were made to the Order, viz.:

In page 14—

Insert at the commencement of the new Table A., Scale 1:

"Applicable to merchandise conveyed on any part of the River Weaver (including the Weston Canal), except as hereinafter provided."

Insert at commencement of the new Table A., Scale 2:

"Applicable to merchandise conveyed on the Weston Canal and not passing to or from the River Weaver."

After the new Table A., insert—

"Provided also that the tolls and charges payable on any merchandise passing in a boat between the works of the same owner on the navigation, and not passing through a lock, shall not exceed for the whole distance fivepence per ton in the case of rock salt, and sixpence per ton in the case of all other merchandise.

"Provided further that no tolls and charges shall be payable in respect of any empty bags, barrels, or cases passing in a boat for the purpose of being filled at the works of any trader or bye-trader with merchandise on which tolls are subsequently paid."

Schedule, as amended, agreed to.

Preamble agreed to.

Canal Tolls and Charges Provisional Order (No. 8) Bill considered.

For Petitioners' Counsel, &c., against (No. 8) Bill, *see* Minutes of Evidence, page 587.

Preamble postponed.

Clauses read, and agreed to.

Schedule read, and agreed to, with the following Amendments, viz.:

River Cam Navigation.

Page 7, Table A., omit "maximum wharfage charges," and insert after "maximum tolls" the words "including wharfage charges." Line 34, after the word "fuel" insert "or for bricks and tiles."

Thetford Navigation.

Page 14, lines 27, 28, 30, and 33 (Clause relating to minimum toll), omit "two shillings and sixpence," and insert the words "one shilling."

Page 15, omit lines 1 to 3; line 14, after the word "borough" insert "as the undertakers of the Thetford Navigation." Lines 31 to 38, leave out the brackets and figures in the maximum tolls column. Lines 31 to 38, bracket A., B., and C. together, and insert "0.50*d.*" in the maximum tolls column; that is to say, A., B., and C. are to be 0·50*d.* Lines 34 to 38, bracket 1, 2, 3, 4, and 5 together, and insert, "1·00*d.*" in the maximum tolls column, and in the same Table omit the column of "maximum wharfage charges" and put it in under the head of "maximum tolls, including wharfage charges."

Eau Brink Navigation.

Page 8, after line 1, insert:

(1.) "Nothing in this Schedule shall alter, vary, or affect any exemption from tolls provided for by Section 82 of the Eau Brink Act, 1795 (35 George III., cap 77) or by Section 16 of the South Level and Eau Branch Act, 1893 (56 and 57 Vict. cap. 12)." Saving from Exemptions.

Table A.

Third column, omit the words "maximum wharfage charges" and "1·50*d.*, 3*d.*, 3*d.*, 4*d.*, 4*d.*, 4*d.*, and 4*d.*"

Insert after "maximum tolls" the words "including wharfage charges."

Amendments to the Special Sections applicable only to the South Level Navigations.

Page 13, lines 38 and 39, omit from "the Section" in line 38 to "1827," in line 39, and insert "Section 89 of the South Level Act, 1827."

Page 14, line 4, omit "the part" and insert "those parts"; line 5, omit "River Ouse" and insert "Rivers Ouse and Lark."

Omit "Table A." and insert the following in lieu thereof:

"Table A., part 1, maximum tolls and wharfage charges applicable only to the South Level Navigation:"

In respect of merchandise comprised in the undermentioned Classes,	Maximum tolls including wharfage charges,
A., B., C., 1, 2, 3, 4, and	Per ton, 4·00*d.*

Provided that notwithstanding anything in the above Table the toll for coal, culm, coke, charcoal, or other fuel, or for bricks, tiles, road materials, stones, pebbles, sand clay, or limestone conveyed on the said navigation shall not exceed 2*d.* per ton."

Further consideration adjourned.

Canal Tolls and Charge Provisional Order (No. 7) Bill considered.

For Petitioner's Counsel, &c., against (No. 7) Bill, *see* Minutes of Evidence, page 589.

Preamble postponed.

Clauses read, and agreed to.

Schedule considered.

Thames and Severn Canal Navigation Order considered.

The following Amendments were made to the Order, viz.:—

Page 2, line 14; page 3, line 11; page 21, lines 19 and 40; page 22, lines 3 and 22; after "Severn" and before "Navigation" insert "Canal."

Page 21, line 38, omit "Thames and Severn Navigation Company," and insert "Company of Proprietors of the Thames and Severn Canal Navigation."

Mr. *Page* was heard to propose, in page 22, line 16, to omit "3·00*d.*" and to insert "6·0*d.*" and called Mr. *John Mahon.*

Question put, That the Amendment be agreed to.—The Committee divided:

Contents, 4.	Not Contents, 4.
Earl of Lauderdale.	Duke of Richmond and Gordon.
Sir Richard Paget.	Lord Clifford of Chudleigh.
Mr. Richardson.	Lord Hawkesbury.
Mr. Spicer.	Sir William Houldsworth.

The numbers being equal, it was resolved in the negative.

Mr. *Page* was heard to propose, in page 21, after line 36, to insert the following:—

"(iii.) In calculating the distance for all purposes of tolls and charges the Sapperton Tunnel shall be taken to be equal to a distance of six miles."

The same was agreed to.

Schedule, as amended, agreed to.

Preamble agreed to.

Canal Tolls and Charges Provisional Order (No. 8) Bill again considered.

The River Nene (Third Navigation Division) was considered.

Mr. *Baggallay* is heard to propose, in page 11, to omit lines 22 to 26, and in page 12, line 5, to omit the Table and to insert:—

In respect of Merchandise comprised in the under-mentioned Classes.	Maximum Tolls.	
	Per Ton. *d.*	
A		A
B		B
C		C
1		1
2	6	2
3		3
4		4
5		5

The following Witness was examined in support of the Amendment, viz.: *Robert Bennett.*

Mr. *Percival* was heard on behalf of the Corporation of Peterborough.

Mr. *Pope* was heard in support of the Amendment on behalf of the Corporation of Wisbech.

The Committee decided to accept the Amendment.

It was proposed, in page 11, after line 33, to insert, "The term boat includes a 'raft' in addition to the other meanings assigned thereto in this Order.

The same was agreed to.

Schedule, as amended, agreed to.

Preamble agreed to.

Canal Rates, Tolls, and Charges Provisional Order (No. 9) Bill considered, and ordered to be incorporated with Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill.

No Petitioners appeared against this Bill.

It was therefore moved that the said Bill be not further proceeded with.

The same was agreed to.

Ordered, That the Lord in the Chair do Report accordingly to the House, and that Sir *William Houldsworth* do make the said Report to the House of Commons.

Canal Rates, Tolls, and Charges Provisional Order (No. 2) Bill again considered.

The

The following Amendments are made in the Bill, viz. : page 2, line 9, and page 3, line 4, after "Canal," insert "River Larke."

At the top of page 14, insert the following special provisions, viz. : "Special sections applicable only to the Larke Canal :

(i.) Where merchandise is conveyed by a bye-trader in a boat which passes through one or more locks on the canal, the company may charge a minimum toll of two shillings and sixpence. Minimum toll per boat and toll for empty boat.

For an empty boat which passes through one or more locks on the canal, the Company may charge the sum of two shilling and sixpence, providing that such empty boat is not returning after delivering cargo in respect of which there has been paid to the Company a toll of not less than two shillings and sixpence, or is not on its way to load cargo in respect of which a like toll will become payable to the Company.

(ii). For a fraction of a mile the Company may charge according to the number of quarters of a mile in that fraction and a fraction of a quarter of a mile may be charged for as a quarter of a mile. Fraction of a mile.

(iii.) in this Schedule, unless the context otherwise requires :—

The term "the Company" means the Eastern Counties Navigation and Transport Company (Limited). Definitions.

The term "the canal" or "the navigation" means the portion of the River Larke between Mildenhall New Lock and Bury St. Edmunds, for the use of which the Company were at the date of the Act confirming this Order coming into operation entitled to charge tolls.

TABLE A.

Part I.—Maximum Rates and Charges.

In respect of Merchandise comprised in the undermentioned Classes.	Maximum Rates for Conveyance.	Maximum Station Terminal at each end.	Maximum Service Terminals.				—
			Loading.	Unloading.	Covering.	Uncovering.	
	Per Ton per Mile.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	
	d.	*s. d.*	*s. d.*	*s. d.*	*d.*	*d.*	
A	1·00	0 3	—	—	—	—	A
B	1·25	0 3	—	—	—	—	B
C	1·70	0 6	0 3	0 3	1	1	C
1	1·75	0 9	0 5	0 5	1·50	1·50	1
2	2·20	0 9	0 8	0 8	2	2	2
3	2·70	1 0	1 0	1 0	2	2	3
4	3·10	1 0	1 4	1 4	3	3	4
5	3·70	1 0	1 8	1 8	4	4	5

PART II.—MAXIMUM TOLLS AND WHARFAGE CHARGES.

In respect of Merchandise comprised in the undermentioned Classes.	Maximum.	Maximum Wharfage Charges.	——
	Per Ton per Mile. *d.*	Per Ton. *d.*	
A B	0·50	1·50	A B
C (except Timber).	0·75	3	C (Except Timber).
For Timber.	0·85	3	For Timber.
1		3	1
2		4	2
3	1·00	4	3
4		4	4
5		4	5

Schedule, as amended, agreed to.

Preamble agreed to.

Canal Tolls and Charges Provisional Order (No. 10) Bill postponed.

For Petitioner's Counsel, &c., against (No. 10) Bill, *see* Minutes of Evidence, page 583.

Canal Rates, Tolls and Charges Provisional Order (No. 12) (Grand Canal, &c.) Bill considered and agreed to, with Amendments.

For Petitioner's Counsel, &c., *see* Minutes of Evidence, page 623.

Canal Tolls and Charges Provisional Order (No. 11) Bill considered.

For Petitioner's Counsel, &c., against (No. 11) Bill, *see* Minutes of Evidence, page 624.

Preamble postponed.

Clauses read, and agreed to.

Schedule considered.

The Shannon River Navigation Order is considered.

Mr *Fitzgerald* is heard to propose, in page 14, to leave out Table A., and to insert—

In respect of Merchandise comprised in undermentioned Classes.	MAXIMUM TOLLS.		Maximum Wharfage Charges.	—
	For the first ten miles or any part of such distance.	For the remainder of the distance.		
	d.	*d.*	*d.*	
A	0·25	0·15	0·25	A
B	0·60	0·40	0·25	B
C	1·25	0·80	0·50	C
1	1·30	0·90	0·50	1
2				2
3	1·35	0·95	0·75	3
4				4
5				4

The following witness is examined in support of the Amendment, viz., Mr. *Richard O'Shaughnessy.*

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 20th July 1894.

MEMBERS PRESENT:

The Duke of RICHMOND AND GORDON in the Chair.

Earl of Lauderdale.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Hawkesbury.	Mr. Richardson.
	Mr. Spicer.

Canal Rates, Tolls and Charges Provisional Order (No. 1) Bill again considered.

The Section brought up by Mr. *Pelham* to carry out the decision of the Committee (*see* Proceedings of the 6th of July) was again considered.

Mr. *Coward* was heard, and called Mr. *Frank Rayner*.

Mr. *Cripps* and Mr. *Whitehead* were heard.

The Committee decide to accept the Section as proposed by Mr. *Pelham*, with an addition, viz.:

Saving special toll as to traffic from Beeston Cut.

"Page 8, line 12, insert—(iv.) Nowithstanding anything in this Schedule, where a boat, whether conveying merchandise or empty, passes from the Beeston Cut, belonging to the Trent Navigation Company, over the Nottingham Canal and into the River Trent at Sneinton Meadow, or *vice versâ*, the maximum toll shall not exceed the sum of one shilling per boat-load, or one shilling for such empty boat, as the case may be, provided that such boat does not *load or unload* any merchandise at any place on the Nottingham Canal, or at any place within the borough of Nottingham on the River Trent; provided always that through goods unloaded for transhipment only *on the River Trent* shall not be deemed to be loaded or unloaded within the meaning of this section."

Schedule as amended agreed to.

Preamble agreed to.

Canal Tolls and Charges Provisional Order (No. 11) Bill was again considered.

The Shannon River Navigation Order again considered.

The Amendment proposed by Mr. *FitzGerald* was again considered.

The following witnesses were examined in support thereof, viz.:—Mr. *Richard O'Shaughnessy* and Mr. *O. H. Braddell*.

Mr. *Whitehead* was heard on behalf of the Petitions of Arthur Guinness, Son, and Company, and of the Grand Canal Company, and called Mr. *P. J. O'C. Glyn*.

Mr. *FitzGerald* was heard in reply.

The Committee decided to accept the Table proposed by Mr. *FitzGerald* less 40 per cent. on each figure; that is to say, in the first column 0·15, 0·35, 0·75, 0·80; in the second column, 0·10, 0·25, 0·50, 0·55.

Mr. *Whitehead* was heard to propose in page 13, line 21, after "shillings," to insert "provided that such empty boat is not returning after delivering cargo in respect of which there has been paid to the Company a toll of not less than four shillings, or is not on its way to load cargo in respect of which a like toll will become payable to the Company."

Mr. *FitzGerald* was heard in opposition thereto.

After discussion, the Committee decided to accept the following Amendment with Amendments suggested by Mr. *FitzGerald*.

Mr. *FitzGerald* was heard to propose in page 13, line 29, after "Shannon" insert "and the canals in connection therewith."

The same was agreed to.

Mr. *FitzGerald* was heard to propose in page 13, line 31, to add the following new Subsections:—

"(iv.) The exception as to timber shall not apply."

"(v.) Cattle, live stock, and animals shall be an exceptional charge, in addition to the other exceptional charges mentioned in Part 11."

Section (iv.) after discussion is withdrawn.

The Committee refused to accept Sub-section (v.), but decided to place cattle, live stock, and animals in Class C.

The Committee decided that a clause should be inserted that rates on the Shannon should not be raised without the consent of the Treasury.

It was proposed in page 14, line 25, after "manure" to insert "not being chemical manure in bags."

The said Amendment was after discussion withdrawn.

Schedule as amended agreed to.

Preamble agreed to.

Canal Tolls and Charges Provisional Order (No. 10) Bill considered.

Preamble postponed.

Clause read and agreed to.

Schedule read.

The following Amendments are made in the Bill, viz.: Page 3, line 12, after "canal" insert "in a boat or otherwise." Page 3, line 18, add "in a boat or otherwise." Page 3, line 25, add "in a boat or otherwise." Page 6, insert as a new Section 14*a*.: "Nothing in this Schedule shall apply to pleasure boats, or boats for the conveyance of passengers or affect the tolls or charges, if any, which the Company are authorised to charge or make in respect of such boats under the provisions of any act of Parliament." Page 7, lines 8 to 15 (i.), omit section (1), first and second paragraphs, and insert instead thereof:

"(i.) For a boat (whether containing merchandise or empty) which passes through one "or more locks on the canal between Grangemouth and the Summit Level, the Company "may charge a minimum toll of 5*s.*, or through one or more locks between Bowling and "the Summit Level, a like minimum toll of 5*s.*, or through one or more locks between "Port Dundas and Woodhall, a like minimum toll of 5*s.*, provided that such boat is not "an empty boat returning after delivering cargo in respect of which there has been paid "to the Company a toll of not less than 5*s.* in respect of each such distance on the "canals, or is not on its way to load cargo in respect of which a like toll will become "payable to the Company."

Page 7, line 19, omit "a" before "mile," and insert instead thereof "the first mile the Company may charge as for a mile and for a fraction of a mile after the first." Page 8, omit Table A., Part I., and substitute the following:

TABLE A.

PART I.—MAXIMUM TOLLS AND WHARFAGE CHARGES.

Applicable only to the Canals of the Caledonian Railway Company.

In respect of Merchandise comprised in the undermentioned Classes.	For the First 10 Miles or any part of such Distance.	For the next 10 Miles or any part of such Distance.	For the next 10 Miles or any part of such Distance.	For the Remainder of the Distance.	Maximum Wharfage Charges.	
	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton per Mile. *d.*	Per Ton. *d.*	
A	0·75	0·45	0·25	0·15	1·50	A
B						B
C (except timber).	0·85	0·65	0·25	0·35	3	C (except timber).
For timber	1·00	0·85	0·70	0·40	3	For timber.
1					3	1
2					4	2
3	1·00	0·95	0·85	0·60	4	3
4					4	4
5					4	5

Notwithstanding anything in the above Table the maximum tolls for the following articles passing for any distance on the canal shall not exceed the following amounts: Provided that where, in respect of any of the said articles, wharfage is charged by the company the cumulo amount of the tolls and wharfage charges shall not exceed the said amounts, viz. :—

Article.	Maximum Tolls per Ton.	Article.	Maximum Tolls per Ton.
Engine Ashes	3*d.*	Phosphates under Classes A. and B. and Artificial Manures passing for any distance between Port Dundas and Grangemouth	1*s.*
Rock Salt and White Salt in bulk, passing for any distance between Bowling and St. Rollox	4*d.*	White Salt (except as otherwise herein provided)	
Stones under Classes A. and B.		Cast Iron Pipes (gas, water, air, steam, and underground)	1*s.* 6*d.*
Sand		Grain	
Gravel		Kelp	
Oil passing any distance between Bowling and Port Dundas	6*d.*	Phosphates under Classes A. and B., Muriate of Potash and Artificial Manures (except as otherwise herein provided)	
Manure (unmanufactured, street, stable, and farmyard) in bulk		Epsom Salts	
Ironstone		Barytes	
Iron Ore		Red Lead	
Limestone		Linseed	
Lime		Oil (except as otherwise herein provided)	2*s.*
Phosphates under Classes A. and B., Muriate of Potash and Artificial Manures passing for any distance between St. Rollox and Bowling	8*d.*	Carbonate of Potash	
Pig Iron		Soda Salts	
Bricks and Clay (common and fire)		Chloride of Magnesium	
Common Draining Tiles		Deals and Battens passing between Grangemouth and Bowling	2*s.* 1½*d.*
Coal, Coke, and Dross			
Rock Salt (except as otherwise herein provided)			
Cement	9*d.*		
Chalk in the rough			
Flints			
Nickel Ore			
Turnips, Carrots, and Mangold Wurzels for cattle feeding			
Timber passing for any distance between Port Dundas and Bowling			

Schedule as amended agreed to.

Preamble agreed to.

Ordered, That the Lord in the Chair do report that :—

The Canal Tolls and Charges Provisional Order (No. 1) (Canals of Great Northern and other Railway Companies) Bill;

The Canal Rates, Tolls and Charges Provisional Order (No. 2) (Bridgwater, &c., Canals) Bill;

The Canal Tolls and Charges Provisional Order (No. 3) (Aberdare, &c., Canals) Bill;

The Canal Tolls and Charges Provisional Order (No. 4) (Birmingham Canal) Bill;

The Canal Tolls and Charges Provisional Order (No. 5) (Regent's Canal) Bill;

The Canal Tolls and Charges Provisional Order (No. 6) (River Lee, &c.) Bill;

The Canal Tolls and Charges Provisional Order (No. 7) (River Ancholme, &c.) Bill;

The Canal Tolls and Charges Provisional Order (No. 8) (River Cam, &c.) Bill;

The Canal Tolls and Charges Provisional Order (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill.

The Canal Tolls and Charges Provisional Order (No. 11) (Lagan, &c., Canals Bill; and

The Canal Rates, Tolls, and Charges Provisional Order (No. 12) (Grand, &c., Canals) Bill;

should be allowed to proceed.

And that the Canal Rates, Tolls and Charges Provisional Order (No. 9) (River Larke) Bill should not be allowed to proceed.

And that Sir *William Houldsworth* do make the like Report to the House of Commons.

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PRESENT:

Duke of RICHMOND AND GORDON.
Earl of LAUDERDALE.
Lord CLIFFORD OF CHUDLEIGH.
Lord HERRIES.
Lord HAWKESBURY.
Sir WILLIAM HOULDSWORTH.
Mr. SPICER.
Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

Chairman.] THE Committee will hold their first sitting on Thursday next, at half-past 11 o'clock; that is according to the Standing Order, which says that there must be five clear days between this meeting and the first meeting on the Bill, and we shall then sit on Tuesdays, Wednesdays, Thursdays and Fridays, from half-past eleven till four. Have the parties any questions to put?

Mr. *Moon.*] I am instructed, your Grace, to appear for the Rochdale Canal Company, to ask your Grace and the Committee what would be a convenient course to take. The Rochdale Canal is a canal, it is true, which is not in Group No. 1 which is now before the Committee; but it is a canal system in Group No. 2 which will subsequently come before the Committee, and my clients have three or four alterations which they desire to have made in the general conditions which apply to the canal companies. Your Grace will find that the scheme of the Provisional Orders which will come before you is this: that there are a certain number of general conditions which affect all the canals which are in the group, and that then there follow certain special provisions which are applicable to each of the canals in the group. The general conditions were, no doubt, settled last year in respect of the canal companies that were before Parliament last year, and applied to, I do not know all of them, because some of them were carriers and some were not carriers; but they applied to the canals that were before the Committee last year. Now, the Board of Trade have treated those general conditions, which were settled in relation to the particular canals then before the Committee, as binding upon all canals however diverse their circumstances might be, and I do not want, on behalf of the Rochdale Company, to alter the scheme of the Board of Trade at all; but I do want to be allowed, when the Order comes on which deals with the Rochdale Canal, to be able to put circumstances before the Committee to support an application to alter some of the conditions, to a slight degree, which have been considered hitherto to have been general; and I should propose that the most convenient way of doing that would be to take them, so far as the Rochdale Canal is concerned, out of the general conditions applicable to the whole group, and add them to the special conditions which have already been made applicable to the Rochdale Canal. I want to protect my position in this way: that, although your Grace and the Committee may determine what general conditions shall apply to all the canals in the first group, when it comes to the second group I may be allowed, on behalf of the Rochdale Canal Company, to make certain amendments in those general conditions so far as they affect my canal. I ask your Grace, therefore, that the position of the Rochdale Canal Company shall be protected to that extent; that is to say, that any decision of the Committee upon Group No. 1 shall not prevent any canal in Group No. 2 from asking, under special circumstances, to have those general conditions amended.

Chairman.] I suppose that will come on when we meet next time, will it not?

Mr. *Moon.*] I shall not be before the Committee any more next week than I am to-day.

Chairman.] What do the Board of Trade say to this?

Mr. *Pelham.*] I appear, your Grace, for the Board of Trade, not to promote Bills or to defend the decisions of the Board of Trade, but to be of any use that I can to the Committee. I think I should say that the Board of Trade have not treated the general conditions that were settled last year as in any way binding upon the Board of Trade; I mean that they were not considered as binding at the inquiries that were held before me; but the parties were required to show in what way their proposal varied those general conditions; and I may say that generally the general conditions have been accepted. But I think that the proposal of my learned friend, Mr. Moon, is a very good one; that is to say, that if a particular company wish to vary the general conditions, they should not propose an amendment to the general conditions, but should

should propose it in the shape of a special clause under the special heading of, say, the Rochdale Canal, to the effect that, notwithstanding anything in Sections 2 or 3 or 4 (as the case may be) of the Bill, such and such a condition shall not apply to the Rochdale Canal. I think that probably that will be found to be most convenient for the purposes of discussion.

Chairman.] That is practically what Mr. Moon asks to do.

Mr. *Moon.*] Yes, your Grace; that would protect my position, and I should be quite satisfied if it were done in that way.

Mr. *Soutter.*] And that would apply, your Grace, to similar cases.

Chairman.] We must take each case when it comes; we cannot give you a general rule.

Mr. *Waghorn.*] There is one matter of personal convenience to which I would like to call your Grace's attention. When your Grace was Chairman of the Railway Rates Committee, it was found very convenient, as you will recollect, to have the Grand Committee Room; and it was very convenient for Counsel and their client attending the Inquiry to conduct their business.

Mr. *Moon.*] The Thames Conservancy Committee is sitting in that room, your Grace; I am afraid we cannot hope for that.

Chairman.] I am afraid there is no other Grand Committee Room available; they are all occupied by Grand Committees, and this is the only room that we can have. Therefore, however much we might desire it, we cannot have our wishes carried out.

Mr. *Moon.*] Perhaps it would be convenient if your Grace would say in what order you will take the canals in the first group, and when the amendments must be sent in by both sides in relation to them, and to whom.

Chairman.] I suppose the most convenient mode would be to take them as they stand on the paper.

Mr. *Moon.*] I should think probably it would, your Grace.

Chairman.] Then the other point was about the amendments.

Mr. *Moon.*] Yes, your Grace; when they should be sent in, and to whom.

Chairman.] They could be sent in by Tuesday, could they not?

Mr. *Moon.*] Against all the Bills in the first group?

Chairman.] Yes, some of these have been under consideration before, you see. The great thing would be to have them in the hands of the parties as soon as possible, and not later than Tuesday.

Mr. *Moon.*] It certainly would. Then that would apply to the first Bill, the Bill which is now before the Committee. There are two subsequent Bills, I believe, which are not now before the Committee.

Mr. *Pelham.*] There are three Bills before the Committee, and there are nine others coming.

Mr. *Currey.*] Should the amendment to the other two Bills be sent in by Saturday? It would be a great convenience to have them to all the three Bills as soon as possible.

Chairman.] The Committee is not practically constituted till Thursday by the Standing Order. We are not a tribunal till Thursday.

Mr. *Currey.*] I meant Saturday week, your Grace.

Chairman.] That is a great deal longer. I propose that they should be sent in not later than next Wednesday.

Mr. *Currey.*] Wednesday for the first Bill, and Saturday week for the next two Bills. There are three Bills, Nos. 1, 2, and 3, before the Committee.

Chairman.] Why do you want all that time?

Mr. *Currey.*] I think the Committee will be occupied upon the first Bill for two or three days.

Chairman.] Why cannot you get your amendments in by Wednesday?

Mr. *Currey.*] I think we could, and I should be very glad to see them in.

Chairman.] Then there is no object in giving you till Saturday?

Mr. *Currey.*] Then it will be Wednesday for all three Bills?

Chairman.] Yes.

Mr. *Waghorn.*] Will you not say Tuesday for the first Bill, your Grace?

Chairman.] You see we do not meet till Thursday. We are practically not a tribunal till Thursday, and, therefore, we cannot insist upon these amendments being put in before Wednesday, but it would be desirable that they should be sent in as much sooner as possible.

Mr. *Waghorn.*] An expression of opinion from your Grace would go a long way. If you were to say that you thought all amendments to the first Bill should be sent in by Tuesday, I am sure that everybody would have them sent in.

Mr. *Whitehead.*] The advantage would be that if the amendments to the first Bill are exchanged between the parties on Tuesday, then each side would have an opportunity on Wednesday of considering the other amendments, and they would come before the Committee on Thursday prepared to discuss them. If your Grace could make an Order with regard to the first Bill, and suggest that with regard to the first Bill the amendments should be in by Tuesday, and with regard to the second and third Bills, they should be in by the Thursday or Saturday following, that would be a great help.

Chairman.] But you see we cannot lay down a hard-and-fast line, because anybody might petition up to late on Wednesday.

Mr. *Pelham.*] I think there must be a mistake there, your Grace. It is five days, I think, before the next meeting of the Committee, and therefore the five days before next Thursday expire to-day or to-morrow. I take it, therefore, that to-day is the last day on which anybody can petition, if you decide to meet next Thursday.

Chairman.]

Chairman.] To-day is not a meeting in the sense of the Standing Orders.

Mr. *Pelham.*] No; next Thursday will be a meeting, but petitions must be sent in five days before the first meeting. Next Thursday will be the first meeting, and to-day (not because the Committee is sitting to-day, but because it happens to be five clear days before next Thursday) is the last day on which petitions can be presented.

Chairman.] Do you mean that no petition can be sent in after to-day?

Mr. *Pelham.*] That is what I take it to be, if the Committee decide to sit next Thursday.

Mr. *Currey.*] And that is against the first three Bills.

Mr. *Pelham.*] I should like to say, your Grace, that the same point arose last year, and the Chairman (Lord Northbrook) said, according to the Report of the Proceedings, "This day is evidently the last day for anybody to petition."

Chairman.] That is with regard to petitions; but what we are discussing is the amendments. That would be a different thing.

Mr. *Pelham.*] That is a different thing.

Chairman.] What we were discussing then was the last day on which amendments should be sent in.

Mr. *Pelham.*] The Standing Order, of course, relates to the petitions.

Chairman.] Just so. You are right as to petitions, that this is the last day for petitions; but that does not apply to amendments; therefore I think that the amendments might be put in by Tuesday.

Mr. *Coates.*] To whom shall they be sent in, your Grace?

Chairman.] Well, not to me. You must send them to the promoters. Any amendments that you have to propose must be given to the promoters.

Mr. *Coates.*] There are no promoters.

Chairman.] Any time on Tuesday.

Mr. *Coates.*] That is to say, taking the various companies named in the Bill as the promoters of the Order.

Mr. *Whitehead.*] Does your Grace's decision apply to the first Bill only? It would be a great convenience to all parties if the amendments which are required by Tuesday should relate merely to the first Bill, and that amendments to later Bills, Nos. 2 and 3, might be sent in by Saturday week. Your Grace will see that the first Bill is likely to occupy the Committee certainly a week, and perhaps a fortnight.

Chairman.] I hope not.

Mr. *Whitehead.*] I understand, your Grace, that there is a difference of opinion, at all events, about that, but that certainly it will occupy some days. Three days is the minimum; and that would give plenty of time.

Chairman.] Very well, then, the amendments to the first Bill must be sent in by Tuesday, and to the other Bills by Saturday.

(0.161.)

Mr. *Pelham.*] May I ask that each company should be required to print the amendments?

Chairman.] Yes. Is there anything else?

Mr. *Currey.*] I think, your Grace, that in the case of the third Bill there are a lot of small companies, and I do not know whether we shall know to whom to send the amendments; they are people in the country. I would suggest that those who have amendments to propose to the third Bill should send them to the Board of Trade. I believe they would be willing to communicate with the parties.

Chairman.] No; that is putting a duty upon the Board of Trade which by no means belongs to them. It is for you who have got amendments to propose to send them to the parties.

Mr. *Currey.*] We hardly know where to send them.

Chairman.] I have no doubt you will be able to find out.

Mr. *Pelham.*] The Board of Trade can supply all the addresses.

Mr. *Frere.*] There is one other point, your Grace. In many of these cases the promoters themselves will be proposing amendments. To whom are they to send them?

Chairman.] To the opponents.

Mr. *Coates.*] Can your Grace say that the second Bill shall not be taken before some particular day?

Chairman.] We had better wait for that. Mr. Whitehead tells us we shall be on the first Bill for a fortnight.

Mr. *Coates.*] There seems to be some doubt, your Grace, as to when the petitions will be due against the other Bills which are not now before you, and it would be desirable that we should have some definite knowledge as to that.

Chairman.] That applies, I am told, to all the Bills; that is a rule of the House of Commons.

Mr. *Coates.*] That was my impression.

Mr. *Frere.*] It is governed by the ordinary Standing Orders. To be quite clear on the point raised by Mr. Coates, does your Grace mean that those other Bills would come under the same Standing Order?

Chairman.] As to what?

Mr. *Frere.*] As to the time for depositing petitions.

Chairman.] All petitions must be deposited to-day.

Mr. *Frere.*] In many cases the Bills have not yet been printed.

Mr. *Pelham.*] Your Grace is only dealing to-day with the first three Bills that are referred to the Committee. There are nine more which will come before the Committee in a week or two's time. I presume that your Grace will make no Order as to them until they are before the Committee.

Chairman.] No, it is only with regard to the three Bills that are before the Commitee. The others are not before the Committee, and of course we cannot deal with them.

Mr. *Hoskins.*] They are not yet printed, so that it is impossible.

Mr. *Pelham.*] They will all be printed on Monday.

Mr. *Whitehead.*] There is one point of detail, your Grace, that requires to be dealt with. Your Grace will remember that when the Railway Rates Committee was sitting somebody on behalf of the companies undertook to get all the amendments sent in, collated, and arranged in a certain order for the convenience of the Committee. If your Grace will turn to Bill No. 1 here, you will see that there is no one company concerned, but a large number of railway companies, about 12 or 13; so that there is no single person or company to whom the amendments could be sent in for arrangement. Last year, your Grace, there was one company interested in each Bill, but here you have a large number of companies interested in each Bill, and it may be very difficult to know who shall arrange the amendments for the convenience of the Committee, and get them printed.

Mr. *Pelham.*] I understood that your Grace's decision was, at Mr. Moon's suggestion, that any amendments to the general conditions should be brought under the head of each company, and therefore they will be printed under the amendments of each company. The special clauses dealing with the general conditions as general conditions will probably not be touched. If, of course, any company carries a particular amendment, and the Committee adopt it for all the other canal companies, I take it that then the Committee would order that the General Conditions should be altered; but I understand the Committee's decision to be at present that any amendments brought forward with regard to the general conditions must be put under the head of the particular company and dealt with as applying only to that company.

Chairman.] Yes.

Mr. *Coates.*] Might I suggest to your Grace that each company should collate its own amendments relating to its own Order.

Mr. *Pelham.*] That is it.

Chairman.] Yes; I see no objection to that if they can do it. We will now adjourn to next Thursday at half-past 11.

Ordered, That this Committee be adjourned to Thursday next, Half-past Eleven o'clock.

Die Jovis, 14° *Junii*, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Mr. Joseph Richardson.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER, No. 1

(Canals of The Great Northern and certain other Railway Companies) Bill.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER, No. 2

(Bridgewater, &c., Canals) Bill.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER No. 3

(Aberdare, &c., Canal) Bill.

Chairman.] It would be convenient if the gentleman appearing for the Board of Trade would make a statement so that we may know the exact position of all these Provisional Orders.

Mr. *Pelham.*] My Lord, I represent the Board of Trade, and I wish to emphasize what I said the other day, namely, that the Board of Trade do not appear here to promote these Bills; but I am instructed, having been the Commissioner who held the preliminary inquiries, to attend here in order to afford any assistance to the Committee or to the parties that is within my power.

In the first instance it will be convenient, I think, if I make a short statement as to the Provisional Orders and as to the procedure which has been adopted by the Board of Trade. By the Railway and Canal Traffic Act of 1888, Section 24, which is extended by Section 36 of the Canals Act, the canal companies were under the obligation to deposit schedules of the classification of merchandise and of the tolls and charges upon all their canals. It was the duty of the Board of Trade to hear all objections that might be made to those schedules, and after hearing all the parties and trying to agree with the different parties, they were to determine what was a just and reasonable toll, and a just and reasonable rate. I may mention that there is this great difference between canals and railways, that whereas in the case of the railways all railway companies are carriers, there are only 10 out of the 92 canals which come before the Committee in which the companies actually carry merchandise. Therefore it has been only necessary for the Board of Trade to settle tolls for bye-traders, bye-traders being either traders carrying their own goods or carrying goods for other persons; but it is provided by the Provisional Order in each case that if, hereafter, the canal companies propose to carry themselves they must deposit a schedule of rates and charges with the Board of Trade which will have to come before the House. The tolls on these canals are fixed by the original Acts of the company, generally speaking, very ancient Acts, much older than the Railway Acts. Those Acts do not authorise the Canal

Company to charge carrying rates, but only tolls. By the 8th and 9th Victoria, chapter 42, the general Act, canal companies were enabled to carry themselves and to charge rates; but whereas in the special Act there was a limit of tolls there was no limit in the general Act as to carrying rates; they were to make reasonable charges.

Now, my Lord, in the last Session of Parliament the five schedules of five different companies were submitted by the Board of Trade to Parliament after inquiry by Lord Balfour of Burleigh and Sir Courtenay Boyle; one of those schedules was thrown out, but four were passed, two of them being for large carrying companies, the Aire and Calder Canal, and the Leeds and Liverpool Canal, and two for toll-taking canals.

At the conclusion of the last Session of Parliament I was appointed by the Board of Trade to act in the place of Lord Balfour of Burleigh and Sir Courtenay Boyle to hold the inquiries. I should like to mention, for the information of the Committee, the procedure that was adopted. As the Joint Committee last year had settled certain conditions applicable to all the canals, it was thought very important that, at any rate, the companies, and the objectors, should show where their proposals differed from the model schedule as settled by Parliament; consequently before holding my inquiry, I issued a blank schedule drawn on the lines of the schedule settled last year, when I say "blank," I mean leaving blanks for special clauses, and leaving blanks for the tolls which the companies were to fill in. When these were received back from the companies, and from the owners of the canals, they were submitted to the objectors, who were made particularly to understand that they were not bound exactly by what was settled last year; but they must show where their proposals varied those general provisions.

Between October last year and April this year, inquiries were held as to 64 canals in England and Wales, those inquiries being held in London; inquiries as to two canals were held at Edinburgh, and as to 10 canals, inquiries were held at Dublin, lasting altogether 56 days. There were also conferences held with 16 companies who had not deposited schedules in accordance with the Act. To state it shortly there are 80 canals in England and Wales, or 108 when the different canals belonging to the railway companies are counted separately, and in Scotland there are two railway canals, and in Ireland 10 canals, a total of 92, or 120 if the railway canals are counted separately. After the inquiries had been held, and many interviews had taken place, certain schedules were submitted in the first place to the companies, and in the next place to the objectors; and then finally they were reported to the Board of Trade, and included in the Bills which are now before the Committee.

Now, I wish to make a few remarks for the information of the Committee about the general structure of the Bills. The general conditions and general sections applicable to all the canals to which the schedule applies are exactly the same as those which were settled last year with one or two small verbal amendments. To make it more economical and convenient for the parties, it was not thought necessary to have a separate Bill for each schedule, but a great many have been included in each Bill.

Then, I have one word to say for the information of the parties, and that is a question has been raised about pleasure boats, whether the clauses of the Bill which relate to empty boats might not be construed to include pleasure boats. I propose to ask the Committee at a later stage to insert a clause to the effect that nothing in these orders shall apply to pleasure boats nor affect the tolls, if any, that any company may make for pleasure boats.

Then, we come to the special sections and Tables for each company. In most cases there is a special section authorising a minimum toll for boats; that is to say, it has been thought equitable that where a boat carries a very small cargo or goes a very short distance, but goes through a lock, and therefore causes waste of water, there should be a minimum toll; and that they should not only pay the small mileage tolls which might perhaps only amount to a few pence; therefore the minimum toll was sanctioned by Parliament last year, and that has been introduced in most cases this year, sometimes 2*s.* 6*d.*, sometimes 4*s.*, and sometimes it is 5*s.* Then the same clause provides a toll for empty boats; but in most cases the companies are not allowed to charge for an empty boat which is returning from delivering her cargo or going for a cargo; it is only allowed for what is known as a vagrant empty boat. Sometimes a boat has been by one canal with goods and comes back by a different canal, and it is only fair that the Canal Company should be able to charge something for it, as they get nothing for the other journey. Then the second special section which is to be found in the case of most canals is that which prescribes for fractions of miles which the canal companies may charge for; that is to say, they may as a rule charge for 100 yards as if it were a quarter of a mile; but that varies according to the power of the companies under their different Acts.

Now I come to a clause which is found in a great many of the schedules, and that is the one relating to the exemptions. That is a contentious matter, and I had better not say anything about it at the present moment. If the Committee wish it, when the first case is heard I shall have something to say on behalf of the Board of Trade; and then there is also another clause, Clause 7, which defines "Canal Company" and the canal to which the schedule applies.

Now going to classification I should say at once that the classification is the same as was adopted last year, which, with a very small difference, was the same as that which had been adopted by the Railway Companies the year before. For the information of the Committee, I may say that Classes A. and B. include coals, stone, and other raw materials; Class C. contains corn, grain, timber, and certain agricultural products; whilst Classes 1 to 5 contain the manufactured articles. Now it has been a principle which has been adopted by Parliament, and which the Board of Trade try to carry out, that the wharfage charge shall be kept separate from the tolls for the passage

passage over the canals; so that a trader who provides his own wharf shall not pay so much as a traders who uses a landing place belonging to the company. But in some cases it has been necessary to combine the tolls and wharfage dues in order to avoid difficulty. Some of the canals are merely docks leading out of tidal waters; there all the traders would either have to pay wharfage tolls or would not have to pay them; therefore there is no reason for drawing a distinction. In most cases the Board of Trade have adopted what was prescribed by Parliament last year, and that is, a mileage toll; they did not think that for a long canal anything like a gross toll could be said to be just and reasonable; that is to say, for a trader who only has to carry for a few hundred yards, it was not fair that he should pay the same as a man who carried 20 miles. At the same time there are one or two cases where the canals are short, where a gross toll has always been the custom, and it has been sanctioned by the Board of Trade. The Committee, are probably aware that it was determined last year for canals, and the year before for railways that the mileage toll should vary for different distances; that is to say, there should be so much for the first 10 miles, so much for the next 10 miles, and so much for the third 10 miles. It was found, and canal companies admit, that they charge smaller mileage tolls for a long distance than they do for a short one; and it was also found that it was more convenient to charge in that way than to charge by the whole distance; that is to say, it was more convenient to charge in that way than to say 0·50*d.* where the distance is 10 miles, 0·40*d.* where the distance is 20 miles, and so on. The initial charge goes through the whole length of the route. In the case of the tolls there are generally, as a rule, three classes or four classes of tolls. One toll covers A. and B., another covers C., and Classes 1 to 5 are invariably included in one toll.

Now, my Lord, the Board of Trade have had to consider how to determine what is just and reasonable. There was nothing in the Act to guide in any way the Board of Trade as to what was just and reasonable. Sometimes it has been suggested that they should have regard to the maximum powers which were sanctioned by the Special Act; sometimes it has been suggested that they should only have regard to the actual tolls now charged; it has been suggested by others that the Board of Trade should consider the cost of construction and maintenance and the amount of traffic; what is the present income, and what effect a certain toll will be likely to have upon such income. The Board of Trade have tried to take all these matters into consideration, and to give effect to them in the best possible way. It may be said that the toll sanctioned last year was almost the same in the case of all the different canals dealt with; to state it generally for some articles it was 0·50*d.* for the first 10 miles. But it must be remembered that these were all busy canals, mostly long route canals, and are hardly applicable to agricultural districts. It has been suggested by the traders that if a lower toll is fixed the companies will be able to recoup themselves by a great increase of traffic. That is certainly not the case in agricultural districts. On the other hand, of course, it may be said that the construction of canals in agricultural districts is very much cheaper and, therefore, they should not have such high tolls. There is no doubt that in some cases the companies would suffer loss, and in one or two, perhaps, considerable loss. In some of those cases it is hoped that the companies will be able to recoup themselves by more traffic. Concessions have been made again and again by the Board of Trade after the first draft Schedule has been submitted to the companies, and I am afraid that the result has been that I cannot plead consistency in these Schedules. Special allowance has been made for special traffic, and the special circumstances of one company; it has not been always possible to extend that concession to all the other companies even in the same neighbourhood. In one or two cases in which there has been special expense the Board of Trade has sanctioned what was allowed by Parliament last year, viz., a bonus mileage for the expensive bit of the canal, the principle being that those who use that expensive part should pay for it by the increased toll, and that the toll should not be increased for those who do not use that part of the canal.

The Committee are probably aware that there are a great variety of canals throughout the country; some are through routes, some are closed at each end, and there is no communication with any other canal, others go through purely agricultural country, others go through mining districts. The principal through routes are from the seaports to the Midlands—from the Mersey to Birmingham, or from Hull to Birmingham, from Bristol to Birmingham, and also from London to Birmingham. Then there is another division of canals, those that are artificial canals and those that are rivers. There are those which may be called ship canals, and those that are boat canals. Then there is a very great difference as regards ownership; most are owned by companies with capital which has been subscribed by shareholders, who may or may not get a dividend; I think a good many get no dividend, and that two or three get 10 per cent. Then there is a second class, those owned by different individuals. One canal 13 miles long was bought by a gentleman a few years ago for 100*l.* A third class—and those are the largest that the Committee will have to deal with—belong to railway companies. Of course there have been a great many complaints about the tolls on the canals owned by the railway companies. It has been said that the companies put on a protective toll, not for the purpose of revenue, but for the purpose of drawing traffic on to their own railways. Of course it would naturally be more beneficial for them to get their traffic on to the railway and carry it 100 miles rather than to get it on to the canal and take it 10 miles, when it may perhaps get on to another railway system. I do not wish to express any opinion at the present moment as to whether the companies have improperly used their powers; but of course it is only natural that a railway company should not be so keen to get the traffic on to the canal, if by so doing they take it off their railway, as an independent company would be. It

is not necessary to impute any bad motives to the railway companies, because if they were to go out of their way to get the traffic on to the canal off their own railway they would hardly be doing their duty to their own shareholders. But I shall point out that there is a special provision in the Railway and Canal Traffic Act 1888 which will enable the Railway Commissioners to deal with the tolls, where in their opinion they are calculated to divert traffic from the canal to the railway where the railway and the canal both belong to the same company.

Now another class of owners of canals are conservators; and you would expect naturally that where there is a river and where there are no shareholders to pay a dividend to, the tolls might be very much lower. That is not so in all cases; and it is principally owing to the fact that conservators having no money of their own have had to borrow, and have had to pay not only interest on their loan, but heavy instalments of capital, and until those loans are paid off the tolls must necessarily be kept somewhat higher than they would be if there were no instalments to pay.

Then there is a fifth class of ownership, that is ,Drainage Commissioners principally in the Fen country, and there the great difficulty has been to distinguish what they call navigation expenses from what they call drainage expenses, the latter being properly charged to rates on the adjoining owners.

Then there is a sixth class of navigation, belonging to municipal corporations. And, lastly, there are the canals which belong to the Government, or which are controlled by the Government. The expression "canal company" in the Act of 1888 has been drawn wide enough to include a Government Department, and also in the case of two canals in Scotland, which have not come before the Committee this year, to include a commission, consisting of the Speaker of the House of Commons, and other gentlemen. There have been a great many complaints from different bodies to me that they were called canal companies in the Schedule; and I trust they may be comforted by the fact that a Government Department, and also the Speaker of the House of Commons and his colleagues have also come under the same definition of a "canal company." Now, my Lord, I have called attention to this point as to different ownerships; but even looking at them from this point of view, I cannot say that there is any uniform system or principle of tolls which can be adopted according to the nature of the ownership of the canal; so much depends upon the existing Acts, and upon the tolls actually charged. The Board of Trade have endeavoured to fix just and reasonable tolls, having regard to all the circumstances; but they have never sanctioned what is known as a bar-toll, that is, a toll which has been put on, not for the purpose of revenue, but for the purpose of preventing traffic going off one canal on to another canal; they have never sanctioned a bar-toll; they have never sanctioned what they believe to be a protective toll which has been imposed by a railway company. It must be remembered that the Act does not require that there shall be any general reduction of tolls. As a matter of fact the Board of Trade have not sanctioned, so far as I know, any toll which is higher than the existing maximum toll, unless perhaps it has now and then been done by the new classification of merchandise. Generally the toll has been fixed quite as low as the tolls now charged, and generally somewhat lower than the tolls now charged, sometimes much lower. The Board of Trade were asked to adopt a clause saying that the companies in the future should not charge any higher tolls than they are charging at present. The traders asked for this in one or two cases, and in one or two cases the companies agreed to such a proposal. The Board of Trade were not able to adopt it generally because they felt that the Act contemplated that the Schedule itself should contain the tolls in black and white, and that the traders should be able to find them there without referring back to the question of what was charged 10 or 20 or 30 years before. Of course it would be quite impossible to fix a maximum toll so as just to fit exactly the present tolls, or what ought to be charged in each particular case. That has been particularly difficult where there has been much competition and a very low rate has been fixed. If a very low rate is existing and in force for a particular route because of some special competition, it would be hardly fair to fix the toll all over the canal at the very low rate fixed for through-traffic. It has also been impossible to fix a toll which should fit through-traffic in general. I believe that is a matter which will be brought before the Committee in the very first Bill; therefore I will not say anything more about it, because it is a contentious subject. Of course, the difficulty of the Board of Trade has been very much increased in some cases where there has been no opposition; it has been very difficult to ascertain what ought to be the tolls in those cases. The experience of some years, perhaps, will only show whether the traders generally are benefited from the new Schedule of tolls, and whether the traffic will be stimulated. Certainly it is an advantage to have the tolls in a document which everybody can see and refer to, instead of being scattered about in Acts of Parliament, sometimes of very old date and sometimes quite out of print.

I will only say, with regard to the three Bills before your Grace and the Committee, that there is, in the first place, one dealing with nine railway canals; No. 2 deals with six carrying companies; and No. 3 deals with 32 of the principal English canals; and then there are other Bills which, I believe, are now referred to the Committee, or will be to-day; the fourth is the Birmingham Canal, left over from last year; the fifth is the Regent's Canal, which was also inquired into before the Board of Trade last year; No. 6 contains five rivers, and the Surrey Commercial Docks; No. 7 contains 16 small companies; No. 8 contains nine canals in the Fen district, near the Bedford Level; then comes the last of the English ones, and a very small one indeed, the Larke. The Larke, as a carrying company, could not be put with the others; and it was too late for Bill No. 2; No. 10 deals with two Scotch canals owned by railways; No. 11 deals with certain Irish canals, one of them being owned by a railway company; and No. 12 deals with three Irish canals, where the

the companies carry, and, therefore, there has to be a separate Table of Rates.

I have only to say, in conclusion, that my duty will be to offer my assistance to the Committee whenever it is asked for; and not to intervene in the discussion otherwise, unless to be of any assistance to any of the parties appearing before your Grace.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) (BRIDGEWATER, &C., CANAL) BILL.

Mr. *Moon.*] I HAVE to apply to your Grace for assistance on behalf of the North Staffordshire Railway Company, for whom I appear. We want to be permitted to be heard, though we have not petitioned against the Schedule of the Bridgewater Canal, which will come before you presently. The circumstances are these: The North Staffordshire Company, for whom I appear, own the Trent and Mersey Canal, which runs from the manufacturing districts of Staffordshire towards the Mersey, but six or seven miles from the Mersey, at Preston Brook, it joins the Bridgewater Navigation—the traffic of Staffordshire has therefore to pass over the Bridgewater Canal. Under these circumstances, we are very much interested in what the Bridgewater tolls are to be. Before any inquiry before the Board of Trade we met the Bridgewater Navigation people and the Bridgewater Navigation and the North Staffordshire Company signed an agreement under which the Bridgewater Navigation undertook not to increase the tolls upon their canal. The North Staffordshire Company after that took no more pains to ascertain what went on with the Schedule of the Bridgewater Canal, but it has happened, somehow or other, though the tolls have not been increased, the mileage over which the tolls are to be charged has been increased—that is to say, the Bridgewater Navigation are to be entitled to charge for passing through a certain set of locks five miles instead of the ordinary mileage, which, of course, indirectly increases the toll by five times whatever the toll is. This has only just been brought to our notice by the traders in our district, and upon discovering that we are in this position, that we have not petitioned because we did not think it necessary, and therefore we are not entitled (unless your Grace and the Committee will permit us) to send in an amendment to the Bridgewater Schedule. At the same time, I think, and it seems to me the Committee will think, we are fairly entitled to be heard. No doubt it has happened accidentally, but though it has happened accidentally, we are prejudiced, or shall be prejudiced, if the Bridgwater Navigation Schedule passes in its present form; and I think it is right that we should be heard against the Bridgewater Navigation Schedule as it stands.

Mr. *Balfour Browne.*] I appear for the Bridgewater Navigation. We have had no notice of this. The Bridgwater Navigation are not here to-day, because they thought that Order, No. 1, would take the whole day, and therefore, I think, they ought to give notice to the Bridgewater Navigation, and make the application again to-morrow morning. We have the right to say that they have failed to petition, and should not be heard.

Mr. *Moon.*] Suppose you said so, I should ask the Committee still to permit us to be heard.

Mr. *Balfour Browne.*] I have no instructions. I should ask the Committee not to entertain this application till to-morrow.

Mr. *Moon.*] No doubt we have not given notice to the Bridgewater Navigation. This was brought to our attention only yesterday, and we thought we ought to apply at the first moment to the Committee for leave to appear. No doubt my learned friend is speaking without instructions, but whether we shall have the right to petition against their order is for Parliament to decide.

Mr. *Balfour Browne.*] The Bill has been before them some time, it is no fault of ours if they have not seen the effect of it, and if you give permission to my learned friend to put in a petition, you may have hundreds of similar applications. I do not know the circumstances, but the other party ought to be here before you give permission to these people to present a petition. My clients are not in the room, so I think my learned friend ought to renew his application to-morrow.

Chairman (to Mr. *Moon*).] Is your application behind the back of the Bridgewater Navigation.

Mr. *Moon.*] I do not think the promoters of the order are concerned with my application. My application to the Committee is to be permitted to be heard. I daresay the Bridgewater Navigation would like to prevent anybody being heard against their Schedule; that is not a reason why we should not be heard against their Schedule.

Chairman.] Are the Bridgewater Navigation the only parties who object to the North Staffordshire Company being heard?

Mr. *Moon.*] It would be too late if I applied when Provisional Order No. 2 came on.

Mr. *Balfour Browne.*] You ought to have given notice.

Chairman.] Are there any other parties on No. 2 who object?

Mr. *Balfour Browne.*] Yes, it is opposed by a large number of people.

Chairman.] I mean are there any other parties

on No. 2 who would object to the North Staffordshire Company being heard.

Mr. *Balfour Browne.*] I can quite understand there are a great number.

Mr. *Moon.*] The whole of the traders of Staffordshire would come and desire to be heard.

Mr. *Balfour Browne.*] I can understand if the tolls on the Bridgewater Navigation approved by the Board of Trade were proposed to be altered the traders on the Bridgewater Navigation would be heard.

Chairman.] I understand the position is this, the North Staffordshire Company entered into an arrangement with your people that the tolls should not be raised, and that the tolls have been raised indirectly.

Mr. *Balfour Browne.*] I do not know anything about the arrangement. I have no instructions.

Chairman.] I understand that is what Mr. Moon based his application on.

Mr. *Balfour Browne.*] That may be true.

Chairman.] You are not prepared to say it is not.

Mr. *Balfour Browne.*] I have no instructions. I am not really objecting to my learned friend's application, only I say it is premature.

Chairman (to Mr. *Moon*).] We will hear you in courseof time.

Mr. *Balfour Browne.*] Under these circumstrnces they ought to be bound to put in their amendments.

Chairman.] Yes, of course.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1).

(Canals of the Great Northern and certain other Railway Companies.)

The following Petitions against the Bill are read :—

The Petition of the Lancashire and Yorkshire Railway Company.

Counsel reserved.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the Great Western Railway Company.

Mr. *Moon* appears as Counsel in support of the Petition.

Mr. *Nelson* appears as Agent.

The Petition of the London and North Western Railway Company.

Mr. *Pope*, Q.C., Mr. *Littler*, Q.C., and Mr. *Moon* appear as Counsel in support of the Petition.

Mr. *Mason* appears as Agent.

The Petition of the Warwick and Birmingham Canal Company.

Mr. *Balfour Browne* appears as Counsel in support of the Petition.

Messrs. *Taylor and Company* appear as Agents.

The Petition of the Lancashire and Cheshire Conference of Municipal Corporations and Local and other Authorities and Bodies.

Mr. *Waghorn* appears as Counsel in support of the Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the Manchester, Sheffield, and Lincolnshire Railway Company.

Mr. *Littler*, Q.C , and Mr. *W. T. Coward* appear as Counsel in support of the Petition.

Messrs. *Martin and Leslie* appear as Agents.

The Petition of the North Eastern Railway Company.

Counsel reserved.

Messrs. *Sherwood and Company* appear as Agents.

The

The Petition of the GREAT NORTHERN RAILWAY COMPANY.

Mr. *Pope*, Q.C., Mr. *Balfour Browne*, Q.C., Mr. *Cripps*, Q.C., and the Hon. *G. C. Colville* appear as Counsel in support of the Petition.

Messrs. *Dyson and Company* appear as Agents.

The Petition of the MIDLAND RAILWAY COMPANY.

Counsel reserved.

Messrs. *Beale and Company* appear as Agents.

The Petition of the NORTH STAFFORDSHIRE RAILWAY COMPANY.

Mr. *Littler*, Q.C., and Mr. *Moon* appear as Counsel in support of the Petition.

Messrs. *Burchell and Company* appear as Agents.

The Petition of Messrs. BRUNNER, MOND, AND COMPANY.

Counsel reserved.

Messrs. *Neish and Howell* appear as Agents.

The Petition of the MANSION HOUSE ASSOCIATION ON RAILWAY AND CANAL TRAFFIC.

Mr. *Whitehead* appears as Counsel in support of the Petition.

Mr. *Beveridge* appears as Agent.

The Petition of the INCORPORATED SWANSEA AND DISTRICT FREIGHTERS' ASSOCIATION (against alterations.)

Counsel reserved,

Messrs. *Neish and Howell* appear as Agents.

The Petition of the NORTH STAFFORDSHIRE CHAMBER OF COMMERCE (against alterations).

Counsel reserved.

Messrs. *Neish and Howell* appear as Agents.

The Petition of the SHROPSHIRE UNION RAILWAY AND CANAL COMPANY (against alterations).

Counsel reserved.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the TRENT NAAIGATION COMPANY.

No person in support of the Petition.

The Petition of Messrs. FELLOWS, MORTON, AND CLAYDON.

Mr. *Waghorn* appears as Counsel in support of the Petition.

Messrs. *Sharpe* appear as Agents.

The Petition of the CALDER AND HEBBLE NAVIGATION COMPANY.

Mr. *Balfour Browne*, Q.C., and Mr. *Carr* appear as Counsel in support of the Petition.

Messrs. *Lewin* appear as Agents.

The Petition of the DUKE OF RUTLAND (against alterations)

Counsel reserved.

Messr. *Durnford* appear as Agents.

Mining Association of Great Britain.

Counsel reserved.

Agents, Messrs. *Sharpe*.

Mr. *Pope.*] Before I deal with the cases of these canals I must ask your Grace and the Committee to favour me with some indication as to the course of procedure. The matter was partially mentioned by Mr. Moon when the Committee last met, but the deposit of the objections and the suggestions of the opponents has a little changed the position of matters. What I am asking has reference to the time when your Grace and the Committee will dispose of the question of the general conditions applicable to all canals alike. The position of matters when Mr. Moon mentioned it before was, as Mr. Pelham has informed the Committee, that the general conditions were those practically which were sanctioned in the case of the other canals last year; and it would be obviously perfectly reasonable in such a case, those having been already decided as general conditions applicable to canals generally, that any exemption from those general conditions should be made a subject of special application and special clauses in those special parts of the Order which relate to the individual canals and their property. But now the opponents have proposed to insert in addition to the general conditions originally in the Order at least two new general conditions of great importance, and which if allowed would affect all the canals alike. It seems to me that this is exactly similar to the case of the railway rates where it was found convenient that the question of general conditions affecting the common interest should be disposed of before the Committee dealt with the special interest of individual companies. It does seem to me that before it is put upon companies specially to ask for exemption from any general conditions the preliminary question is whether the proposition made ought to be a general condition at all, if it be a general condition, then there may be special circumstances in the case of an individual canal which may make that condition inapplicable to its particular case. That would be a matter upon each special case, but if it be a condition applicable to all canals alike, it is obvious it would not be fair that I should be called on to discuss, and for one company only, that which, if settled for that company, might be drawn into a precedent and affect all the rest, though they would not be heard. Therefore, what I suggest as regards the two first amendments which are suggested by the Lancashire and Cheshire Conference, and the Mansion House Association which involved general conditions, should be disposed of before the special case of any individual canal is dealt with. I am not speaking now for the Great Northern Company only. I do not know that in the case of the Great Northern Company these general conditions would be specially applicable to their case, though they would be burdened by them if they were so, but it is with reference to other clients who do not desire to have general conditions fixed behind their backs without your Lordships being in possession of their views as well as others. I suggest, therefore, that the best course of procedure would be this: there are only two amendments proposed to be added in the way of general conditions to those in the Schedule, if they are to go in then, of course, every canal would be at liberty to show special circumstances justifying why they should be exempt from them. The preliminary question is whether they ought to go in at all before anybody asks to be exempt. Therefore, if the Committee that a convenient mode of procedure, you might dispose of those two amendments to the general conditions. That will leave the general part of the Bill absolutely free from discussion; then we should come to discuss the special interest of each company, whether in tolls or exemptions or any special question applying to them alone. It seems to me that the first amendment, though my learned friend says he does not intend it to be so, would annihilate all short distance altogether. If you think I am right in saying it would be the more convenient procedure to dispose of that first, so as to get rid of the general matter, that would leave every company, then, to say what it liked in regard to its own circumstances.

Mr. *Waghorn.*] I would rather suggest, in opposition to what my learned friend Mr. Pope has suggested as to the course of procedure, that this matter should be dealt with as one or two similar matters were dealt with both on the Railway Rates Bill and last year on the Canals Bills. This is a matter which, in the judgment of my clients, is an extremely important one, and it does affect the whole of the canals to come before your Lordships. It would be an extremely difficult matter to deal with it or to lay the merits of the case before the Committee till they have, to some extent, appreciated the *pros* and *cons* of the arguments of the different companies as regards the respective schedules. It would be almost impossible for us to explain the bearing of those till the Committee has heard some of the arguments to be advanced for the higher toll on the one hand, and for the lower toll on the other hand; and what I ask of the Committee is, that they would kindly reserve the consideration of this first amendment till they have dealt with the special schedules. With respect to this matter of through rates, I do ask most respectfully that it should be heard after the Committee know more of the case; with respect to that matter I am not prepared to argue on the general conditions at this moment, and I would rather deal with it on each Schedule.

Chairman.] Your proposition is that we ought not to deal with this amendment on the general question first, but that we ought to deal with it on each Schedule.

Mr. *Waghorn.*] Under the special circumstances, I submit that it is the course the Committee ought to take. It is impracticable for the Committee to understand the bearing of it till they have heard more of the Schedule.

Chairman.] You contend that we ought not to do what I understand Mr. Pope to propose that we should do, that we should settle the general or larger question first; and having settled that, according to the best of our judgment, then each company specially affected by the general terms should be heard to explain their views on the matter. That is what Mr. Pope proposes, as I understand, and you object to that?

Mr. *Waghorn.*] Yes, simply because the first proposition deals with through tolls.

Chairman.]

Chairman.] Through tolls would be applicable to all, would not it?

Mr. *Waghorn.*] Yes, it would be applicable to all.

Chairman.] Then that would be a general question.

Mr. *Waghorn.*] It would be a general question, but my only point is this: our contention would be scarcely comprehensible till the Committee had dealt with one or two of the Schedules. I ask you to look at 11, and you will understand what I mean. No. 11 in this first Order.——

Chairman.] We think we must settle the general question first, as Mr. Pope proposes.

Mr. *Pope.*] My learned friend can cut the knot by withdrawing his proposition; if he withdraws his proposition, we can go on with each Schedule, but it is absurd to settle the general question after my learned friend has endeavoured to rip up each individual Schedule.

Chairman.] That is what occurred to us.

Mr. *Waghorn.*] I am almost inclined to think that I would be wasting the time of the Committee by endeavouring to deal with it now. The Board of Trade have considered the matter to some extent, and decided against us, and I am afraid under these circumstances our appeal to the Committee would be almost hopeless. Under these circumstances I propose to withdraw this first amendment.

Mr. *Pope.*] The first two amendments?

Mr. *Waghorn.*] No, not the first two.

Mr. *Pope.*] Then you must go on with the second.

Chairman.] Do you withdraw the two first amendments?

Mr. *Waghorn.*] I think we could deal with the second.

Chairman.] Do you withdraw the first amendment?

Mr. *Waghorn.*] Yes, and I withdraw the second as an amendment applying to the general question, and will deal with it specially on those canals in which we are mostly interested.

Mr. *Pope.*] I must commend my learned friend's wisdom in saying that, and I may now mention what I did not mention before, that this was discussed before your Lordships' Committee on Railway Rates, and decided against them, and last year before Lord Northbrook's Committee, my learned friend brought forward this very same suggestion, and after a long discussion it was decided against him; so perhaps he was wise in not renewing the discussion.

Mr. *Whitehead.*] The Mansion House Association, for whom I appear, are interested in the second amendment, and I think it would be most convenient to the Committee if we brought it up on these particular canals in which we are interested, not treating it as a general question, but as a particular question affecting individual canals.

Mr. *Pope.*] The two first amendments are withdrawn, my learned friends being at liberty to bring them up on the special cases.

The first order has reference to the canals belonging to the Great Northern Railway Company. Those are three: the Nottingham Canal, the Grantham Canal, and the Witham Navigation. The cartoon shows the Nottingham Canal and the Grantham Canal; the Witham Navigation, which is a navigation in Lincolnshire, leading from some place to Boston, is not in question before your Lordships. We accept the scheme of the Board of Trade for that navigation; and no question on that will arise so far as I know; there are no notices given on either side. The two canals belonging to the Great Northern, which we do ask your Lordships to consider, are the Nottingham Canal and the Grantham Canal. A few words of introduction only, and I will explain what really the questions are: There is one important question which will require discussion which has been referred to by Mr. Pelham, the question of how this Committee, in other words, how Parliament in 1894 will see fit to deal with exemptions created so long ago as 1792. That is the first question, but a few preliminary words before I come to deal with that. The Nottingham Canal, which appears to the left of the cartoon, is a canal 15 miles 20 chains in length, the Grantham Canal being 33 miles and 6 chains long (the Witham Canal is 31 miles 60 chains). Both the Nottingham Canal and the Grantham Canal are old canals; they were constructed under an Act of Parliament somewhere about the year 1792; they passed ultimately into the hands of the Ambergate, Nottingham, and Boston Railway Company, and through our absorption of that railway into the Great Northern system, they have become part of the property of the Great Northern Company, who inherited them from the smaller railway company. They have been a *damnosa hereditas*, for the working of these canals results in a loss (without charging a penny for interest for capital involved in their construction) of 3,456*l.* a year; they do not pay their working expenses by that amount. The effect of the Schedule of the Board of Trade *simpliciter* as it stands would increase that loss by 735*l.* a year, and by the suggestion which I shall ask the Committee to adopt, that additional loss of 735*l.* would be reduced to 368*l.*, but we should, of course, still remain with the original loss both of interest on capital and the loss on working expenses; but that we must be content to deal with, because the old tolls of 1792 are antiquated, and could hardly be maintained. The first question really is this: The tolls which were fixed under the Act of 1792 were unquestionably high tolls, and it appears to me, looking at the respective Acts of Parliament, that in all probability what was intended was to recoup the original company by those high tolls for the exemptions from their toll which the Act contained in favour of certain traffic. What we shall propose to the Committee is this: that the matter now being before Parliament, which is, of course, absolute to deal with any question of exemption or anything else created by old Acts of Parliament; the tolls, whatever they are, should be applicable to the whole traffic of the canal, without any exemption. The Order which has been made by the Board of Trade, I may venture to say in Mr. Pelham's presence, appears to me to be somewhat timid, because, though I cannot help seeing

that the Board of Trade have felt this difficulty, that they have been doubtful whether they, as a Government department dealing with this Schedule, had authority to repeal the provisions of an Act of Parliament, and repeal exemptions; they have merely modified those exemptions in the Schedule which is brought before you. I will point out what the exemptions are in a few moments. My proposition would be this: we would accept the Schedule of tolls that the Board of Trade puts before the Committee, provided that they were made applicable to the whole traffic of the canal equally. That would cause a loss to us of 368*l.*, but we would face that; but with the partial exemptions which the Board of Trade insert, the loss would be 735*l.*; that, we think, is excessive, though it is reasonable that the Board of Trade might entertain doubts as to their power as a Government Department to deal in a drastic manner with these ancient exceptions, Parliament, of course, can do what it likes. No question can arise as to your Lordship's authority, or the authority of the Committee, to repeal absolutely, if they think right, the provisions of the Act of 1792, If that is the view they take, then we are content with the Schedule; if we are to be fixed with exemptions of the character which were put upon us in 1792, then we shall have to ask your Lordships to look at the tolls and give us a higher toll, in order to enable us to meet the expenditure, which would otherwise become practically ruinous.

Chairman.] Your proposal is to take the schedule of tolls of the Board of Trade, and to repeal all exemptions.

Mr. *Pope.*] Yes; if you look at the Provisional Order you will see on page 7 there are "special sections applicable only to the canals of the Great Northern Railway Company," and at the bottom of the page 7 (iv.) "Nothing in this Schedule shall alter, vary, or affect any exemptions from tolls provided for by Section 91 of the Act of 32 Geo. III., c. 100 (relating to the Nottingham Canal), and Sections 82 and 89 of the Act of 32 Geo. III., c. 94 (relating to the Grantham Canal), in so far as any such exemption relates to," and then the exemption becomes modified, as I will point out to you presently. So that what the Board of Trade have done has been this: they have taken these exemptions of the Act of 1792, and have modified them; but they have not seen their way absolutely to repeal them. What they ask you to do is to absolutely repeal them in order to enable us to accept the Schedule of the Board of Trade *simpliciter*, as it stands.

Chairman.] How have they modified them?

Mr. *Pope.*] I will tell you that in a moment. I will tell you what the exemptions were, and then point out how they have been modified. The exemptions in the Act of 1792 were somewhat curious. The Grantham Canal, which is the longest of the canals, contained certain sections with regard to rates. The scheme of Parliament then was to relieve certain traffic of any payment, but to enable the company to recoup themselves by high rates with regard to other descriptions of traffic. Since then the relative importance of the two traffics has practically changed. Now, of course, a high charge upon the general commercial traffic of the canal is not to be supported in order to enable the canal to exempt other traffic from charge at all. Section 82 of the 33rd Geo. III., which is the Grantham Canal Navigation Act, grants very high rates and tolls to the company of proprietors. It excepts certain commodities, and says, "also not exceeding the sum of 1½*d.* a mile for every ton of coal, stone, timber, corn, grain, malt, meat, flour, and other goods, wares, merchandise, and commodities, except all dung, soil, marl, ashes, and other manure (other than lime, which shall pay half the said tolls) and except gravel, stone, and other materials for mending the public and private roads which shall pass toll free." Then a subsequent section provides that not more than one-half of the dues and rates shall be paid for lime. The exemption on the Nottingham Canal, not in quite the same words, runs as follows. This is a proviso giving express exemption: "Provided always and be it further enacted that all gravel and sand to be employed for the purpose only of making and repairing of any public roads in any township village or hamlet through which the said intended canal and collateral cuts or any of them shall be made and all dung soil marl ashes of coal and turf and all other manure (except lime) which shall be used for the improvement only of the lands and grounds in any parish township hamlet village or place." Those are by a later section upon the Nottingham Canal exempt from tolls, with this qualification, that they are to pass free, "so that the same do not pass through any lock to be made on the said intended canal and collateral cuts or any of them but at such times when the water shall flow over the waste weir of such lock." The difference between two canals, therefore, is this. The exemption on the Grantham Canal is an unlimited and an absolute exemption. The traffic might be going anywhere or be used anywhere, and without limitation, on the Nottingham Canal it is in in large part, so far as the dung and manure is concerned, to be used for the improvement of the lands and grounds in any parish which the intended canal cuts through, or wood to be employed underground in any colliery, but, further, they were only to be entitled to that exemption when the water in the canal is practically running to waste, because they are only to be entitled at such times as the water shall flow over the waste weir of such lock. Those two exemptions are somewhat different. We will discuss what they amount to, if it becomes necessary, by-and-bye.

[*Chairman.*] Can you tell us what the money value of these exemptions are?

Mr. *Pope.*] I may tell your Grace that they affect 74 per cent. of the total traffic of the canal. Of the traffic on these two canals, 74 per cent. under these exemptions passes free. We already incur a very great loss, and unless we availed ourselves in regard to other merchandise of the extreme powers given to us under the Act of 1792, it would be impossible for us to overtake such a loss of our revenue as it amounts to, 74 per cent. being free; we are obliged to recoup ourselves

ourselves by charging more upon that which has to pay. What we propose is, provided that the whole traffic becomes paying traffic, then we can afford to accept the Schedule of the Board of Trade.

Chairman.] Were these exemptions given for value received?

Mr. *Pope.*] I have not been able to trace whether these were given in respect of the lands or for the construction or anything of that kind; I cannot trace their origin, but, so far as I know, certainly in the case of the Grantham Canal, which is universal in its application, and is not applied to any land through which the canal passed, it could not have been given in respect of any land that the landowner may have given to them for the construction of their canal. So far as I know it was simply an exemption in favour of what was then regarded as the paramount interest to be served by them.

Mr. *Soutter.*] I appear for the Duke of Rutland.

Chairman.] We will hear you at the proper time.

Mr. *Pope.*] I do not ask you to accept that statement, but Sir Henry Oakley says that the land upon which it was constructed was paid for in cash. Now if you turn to the Board of Trade Order they modify those exemptions in this way, page 8: "Nothing in this Schedule shall alter vary or affect any exemptions from tolls provided for by Section 91 of the Act 32 Geo. II. c. 100 (relating to the Nottingham Canal) and Sections 82 and 89 of the Act 33 Geo. III. c. 94 (relating to the Grantham Canal) in so far as any such exemption relates to manure (other than lime) to be used for the improvement of land in any parish adjoining the Nottingham Canal or the Grantham Canal as the case may be" (that is the sort of exemption which is found in some old canal Acts, where, as your Grace put to me, the landowner has contributed to the original making of the canal by giving his land, then for the advantage of his other lands the gratuitous conveyance of manure in some cases was inserted in the original Schedule), "or to any stone gravel or any other materials to be used for making or repairing any road in any such parish or any exemption provided for by Section 129 of the last-mentioned Act in favour of any boat used for the purpose of husbandry only or for conveying of cattle from one farm or part of a farm or lands of the same owner or occupier subject to the conditions mentioned in the said Section." I may say at once we think that it is not unreasonable that that last Section 129 should still exist, because it would be a hardship to any one who was using a boat on a canal merely to cross over from one part of his lands to others which have been severed by the canal to make him pay tolls upon the canal; we are willing that these exemptions should be maintained, but the result of the exemption of the manure is, the town refuse of Nottingham would pass free, and the stone used in repairing the streets of Nottingham would pass free; those would be traffics which were in existence at the time that those exemptions were inserted, or traffic which it was intended should pass free. The circumstances of the entire district have changed, and from having been an agricultural district, where the repair of roads, for instance, or the means of locomotion, was a matter of primary importance to husbandry, the district has become a commercial district, subject to totally different conditions from those then existing. We ask, therefore, that in this case the exemption excepting all boats used for husbandry, as defined in Section 129, should cease altogether, even in the modified form in which the Board of Trade have suggested they should exist. It is not altogether, my Lord, without precedent, because similar exemptions occur in the Act relating to the River Trent, that is the blue line upon the map. Your Grace knows that the River Trent is a navigable river for barges, and it is used generally as a canal; it is a canalised river, in fact, subject to much the same conditions as a canal which is itself artificially constructed. Under the Trent Navigation Act of 1782, which was about the time of our own Acts, road-stone and manure were entitled to pass free; just as in our own case the exemption was an absolute exemption; but in 1858 the question of the Trent Navigation was before Parliament, and I find that there that exemption was repealed, of course I quite admit not in a Provisional Order, or in an order of the Board of Trade, but repealed by Parliament by virtue of its absolute authority to do what it likes with previous legislation; and there is a recital to the preamble of the Act of 1858, which repealed the exemption in regard to the River Trent: "And whereas in consequence of the great change that has taken place in the trade of the district through which the navigation passes, and the diversion thereof to other means of conveyance a great diminution in the revenue of the company has taken place, thereby rendering it difficult to maintain the navigation in a state of efficiency, and the powers and provisions of the recited Act are found to be defective and insufficient for the purposes thereby intended, it is expedient that such powers and provisions should be altered and enlarged." Then follows the repeal of this exemption among the other matters which are enacted in relief of the Trent Navigation. I avail myself of that preamble as describing exactly what I would urge upon the Committee with regard to this matter now. Of course I do not say that the revenue of these canals is of vast importance to the Great Northern Company, who have a large system of railways upon which their revenue is derived, but standing alone they are a dead loss to the Great Northern Company, and they cost, and will cost whatever may be done by your Grace, some, 4,500*l.* a year to maintain without charging a single penny of interest for the capital involved in the canals at all. The working expenses will increase, but even supposing we were able to charge, because it would be only a charge according to classification, it would be only to charge on manure or road stone or what not what the classification says ought to be charged; and I would venture to point this out and I think this is a strong way to look at the matter; if you are to exempt road

stone from the whole of this canal, you might so far as this canal is concerned as well strike road stone out of the classification altogether, because if it is in the classification it is there in order as an article to make it liable to a fair and reasonable toll applicable to all the articles in that class; but if that one particular article is taken out and you say there will not be charged toll upon it at all, it is no use classifying it. That is the way we propose to ask your Grace to deal with this matter. The manure of course, instead of being now as it was formerly, universal on the Grantham Canal would be applicable only in cases where it is to be used in cultivation of the land in the parishes through which the canal passes. That is a very large limit. If you touch a corner of a parish you may rely upon having the manure of the whole parish to carry gratuitously without toll at all. The simple matter that we put before your Lordships is this. The circumstances of the case have so changed that these exemptions have become practically antiquated and are applied now to a class of traffic not in existence when they were created, and it results in a great loss. And just exactly as in all cases it is desirable that all classes of traffic should be fairly and equally charged as between one and another just as regard to a railway company, so it is not fair to compel the railway company to charge more as against one class of traffic which is tollable in order to recoup it for the loss of one which is not. All traffic should pay that toll or rate which that particular class of traffic is fairly applicable to. The rates granted by the Board of Trade are not special rates; they are rates which have been hitherto considered applic al to other canals. In the case of some canals, no doubt they are increased; I will not ask your Grace at this moment to deal with the matter except to say this: If your Lordships strike out these exemptions we shall be willing to accept the scale of tolls which the Board of Trade have asked us to submit to, though it will increase our loss which I have already mentioned to your Lordships; but, however, if you should come to the conclusion that the exemptions should be maintained, then I have no alternative but to ask you to give me such an addition of toll as will enable me, upon my paying traffic, to recoup myself the necessary loss which these exemptions will continue to cause. That I shall deal with by-and-bye by asking your Lordships to give to me not the schedule of the Board of Trade, but the schedule which the Board of Trade have applied to the canal belonging to the Midland Company, which is in the corner of the map in our neighbourhood, the Cromford Canal. Shortly, therefore, what I shall ask your Lordships to do with this is to strike out all the exemptions, and then I am satisfied. If your Lordships think the exemptions should be maintained then I must ask your Lordships to give to me for my canal the same tolls which have been granted for the Cromford Canal, which is in the hands of the Midland Company.

Those are the points. Your Lordships will understand them a good deal better if enforced by evidence than by my observations.

Lord *Herries.*] Do you propose to go into the question of the income, what it will cost for the upkeeping of the canal?

Mr. *Pope.*] Yes.

Mr. *Spicer.*] What is the amount you have received upon these canals?

Mr. *Pope.*] I will tell you. The difference between the two sides of the account, "Expenditure upon Maintenance," and "Receipts from Toll," there was a deficiency of 3,400*l.*; that is the only figure I can give you, but you shall have details of the mode by which it is arrived at.

Mr. *Spicer.*] In the case of these exemptions all those having these exemptions use their own barges.

Mr. *Pope.*] It is really a toll-taking canal.

Mr. *Soutter.*] May I say something now?

Chairman.] We will hear you afterwards.

Mr. *Soutter.*] I propose to raise a question as to the ability of your Lordship's Committee to repeal these exemptions, which are in the nature of a private agreement.

Chairman.] We are all-powerful here.

Mr. *Pope.*] It may be questionable whether a Government Department can do it, but your Grace's Committee is Parliament and can do what you like.

Mr. *Balfour Browne.*] I believe that was Mr. Pelham's own view.

Mr. *Whitehead.*] May I ask one question with regard to the procedure. Is Sir Henry Oakley coming into the box to deal generally with the circumstances of these canals, or going to discuss in detail all the particular amendments appearing in the list of collated amendments, and which the Committee will have to consider one by one in the order in which they are printed? On the former occasion the general manager of the canal came in and explained to the Committee the circumstances of the canal, the nature of the traffic, and so forth; and then after that had been done the different objectors or the company itself, whoever might be concerned in a particular amendment, moved that amendment, and gave the special reasons relating to the amendment to the Committee.

Mr. *Pope.*] If you should decide that these exemptions should be struck out, then I should become the supporter of the Board of Trade Schedule, and then my friends proposing amendments can be heard, and I must discuss them and support the Board of Trade decision.

Chairman.] There is no difficulty in it.

Mr. *Whitehead.*] I desire to understand what course we are to take. Upon the former occasion we followed the order of the amendments.

Mr. *Pope.*] So you will hear when you get to the amendments.

Mr. *Whitehead.*] We followed the amendments as they appeared in the list. Now the Great Northern Company propose to skip the first half-dozen amendments and pass on to amendments of their own later on in the list, the question of exemptions. Of course, all counsel appearing here are in the hands of your Grace and the Committee, but I thought it convenient that the procedure should be laid down definitely, so that we may understand at what point we should object to any particular matter.

Chairman.] We are now dealing with the general question.

SIR HENRY OAKLEY, is called in ; and, having been sworn, is Examined, as follows :

Mr. *Balfour Browne.*

1. YOU are general manager of the Great Northern Railway ?—I am.

2. And you are familiar with the company's Nottingham and Grantham Canal ?—Yes.

3. I believe you gave evidence as to the revised Schedule of Tolls and Charges, when the matter was before Mr. Pelham ?—Yes.

4. With regard to the Witham Navigation, which, I believe, also belongs to the Great Northern Company, you have nothing to say ?—No ; we accept the Board of Trade Schedule.

5. With regard to that, there is similarly a Schedule proposed by the Board of Trade ?—Yes.

6. First, when we went before Mr. Pelham, did you propose tolls which were the lowest that have been allowed in any case of a railway owned canal ?—Yes ; we thought the subject of canal tolls had been so well considered previously, that it would be almost impertinent again to discuss it, except upon a special point ; therefore we accepted the proposal of the Board of Trade in our own Schedule of Tolls that had been settled in other similar cases.

7. That scale of tolls began, as Mr. Pelham explained, with 0·50*d.* ?—Yes.

8. Your existing powers to charge were far over that ?—Yes, very much in excess.

9. So that you went before Mr. Pelham and proposed to reduce your charging powers ?—Yes.

10. When you were considering the reduction of your charging powers, did you also consider the doing away with the exemptions of road-stone and manure which existed upon your canal ?—Yes, we thought that the time had arrived when what was apparently a favoured-nation clause should be done away with, and in consideration of it being done away with we put the thing upon the fairest possible footing, and charged the lowest tolls that have been settled in any other case.

11. The exemptions both in the Nottingham and Grantham Canal are in the nature of general exemptions ?—Yes ; as Mr. Pope explained to his Grace and the Committee, there is a total difference. Upon the Grantham Canal the exemptions are very sweeping ; it practically means this : that if any manure or road-stone is carried along that canal, once landed it may go anywhere, whether in connection with the canal or not ; there was no limit to it. And it practically meant also, and was used largely in that way, that if a man laid out his garden or built a stable and yard, he got his road-stone and gravel carried for nothing ; at least, so far as gravel went. On the Nottingham Canal it was different ; there it was limited to the use of the parishes adjoining the canal, with the still further limitation that they were only to pass through the locks when the water was running to waste, so that the additional expense to the canal company by the loss of water in the lock should not be incurred in that case.

12. There were no special exemptions in favour of any particular individual ?—No.

Mr. *Balfour Browne*—continued.

13. In the case of the Bridgewater Canal the Duke of Bridgewater sold that canal at a low price on account of getting certain traffics that he was interested in free ?—Yes.

14. There is nothing of that sort here in your case ?—No.

15. They are public exemptions either to the whole public or the public of the particular parishes ?—Yes.

16. Did you think it fair, as you were reducing the toll in favour of the public, that the public should give up the exemptions with regard to road-stone and manure ?—Yes, certainly ; that was the spirit in which we submitted our proposals to the Board of Trade ; that we will consent to a very serious reduction in the tolls provided the other people will give up the special exemptions which they have, and we showed the Board of Trade, as I shall be able to show to the Committee, that a serious loss was already involved, and that it would be aggravated if we were to reduce the tolls, and continue the free services.

17. If one person has his traffic carried free does it necessarily follow that some other person must pay more for his traffic ?—If the canal is to be kept up, certainly.

18. And your idea was that this canal, though in the hands of a railway company, should be treated exactly as an independent canal ?—Yes, that was the spirit which influenced us in dealing with this matter.

19. That was why you proposed the same tolls as were authorised upon the independent canals, the Aire and Calder, the Leeds and Liverpool, and so on ?—Yes.

20. A great deal of stone for various purposes is produced at a place called Mount Sorrel ?—Yes.

21. That is up the River Trent ?—Yes.

22. Does that stone come down paying tolls to the River Trent, under the section which Mr. Pope read, and then come on to your canal at Grantham, and is it then conveyed over your canal for nothing ?—Yes ; it passes through the Nottingham Canal ; it pay a shilling a boat.

23. I suppose if it passes down the River Trent to your junction with the Grantham Canal it would pay upon the River Trent and not pay upon your canal ?—That is so.

24. Though yours is an absolutely artificial canal and the River Trent is a natural river ?—Yes.

25 Under these circumstances, do you think it is fair and reasonable that that particular stone should pay upon both canals ?—Yes. I think that the district will have good consideration for the abandonment of the privilege by the substantial reduction in tolls ; and we have endeavoured, by taking out the traders' accounts, to see how they would be affected. We find that the majority of them who deal in general goods will make a considerable saving. A man who deals in manure only could not, of course, because he would pay for what he gets now for nearly nothing.

26. With

Mr. *Balfour Browne*—continued.

26. With regard to the working of this canal, Mr. Pope told his Grace and the Committee that even if the capital was sunk altogether, in the working of the canal you would make a loss?—Yes; I can show it at once.

27. Therefore, if this canal were absolutely handed over to-day a free present to them, then they could not make it pay at all with the present traffic?—No, not with the present traffic with the high tolls we have had.

28. And you are not even now proposing to make it pay by all the proposals you make as to repealing exemptions?—No, even adopting the Board of Trade proposals and freeing the exemptions, the present loss will be increased.

29. But you only try so far as you can to minimise the loss?—Yes,

30. Just give the Committee some figures to show that?—I have got three years here; I will take the year 1891. On the Grantham Canal we carried 22,949 tons of goods and manure of all sorts; our total revenue from the tolls was 608*l.*; from other sources, wharfage and landing, and so on, we got 128*l.*, making a total receipt of 736*l.* for 33 miles. The maintenance of works cost us 2,155*l.* Therefore on that canal for that year we lost 1,419*l.*

Chairman.

31. Can you give us what you would have taken supposing there had been no exemption?—No, my Lord, I cannot do that, but I can tell you from another paper, and in a few moments show the result of the working. Upon the Nottingham Canal, in the same year, we carried 71,029 tons; we earned in gross, 2,121*l.*; we spent 4,158*l.*; making a loss for that year of 2,037*l.*, or a total loss on the two canals of 3,456*l.*, that is, in absolute working. Now taking the question of capital into account, which your Lordships understand we do not press because that has gone, our interest upon the amount that was paid for these canals is 4½ per cent. The price paid amounts to 4,940*l.* for the Grantham Canal, and 4,715*l.* for the Nottingham Canal; so that we lost in respect of the interest upon the money about 9,600*l.* in addition to the 3,400 of actual loss on working.

Mr. *Balfour Browne.*

32. A loss of 9,600*l.*, in addition to the 3,100*l.* on revenue?—Yes; that is not an exceptional year; the loss has been going on for some time increasing. In the year 1888 the total loss was 11,000*l.*; in the year 1889 it was 11,600*l.*; the year 1891 I have already given you.

33. On that, in order to follow out the question put by his Grace, can you not show us, or can any of your assistants tell us, if instead of being exempt or going free you have been able to charge how much you would have got. You will have to assume the rates for which we ask now?—The loss being 3,400*l.* that I have spoken of, there would be about 370*l.* which we should save if the exemptions were allowed.

34. That is to say, if you charged upon these articles?—Yes.

Chairman.

35. You mean if the exemptions were disallowed?—Yes; if our alteration was allowed.

Mr. *Balfour Browne.*

36. You would still make 3,456*l.* loss?—Yes.

37. If the Board of Trade Schedule were sanctioned, you would make in addition a loss of 735*l.*?—Yes; the total loss upon the same traffic would be 4,185*l.*

38. But if their Lordships took the view that we press upon them, and said in future you may charge for road-stone, and manure the very small tolls that we ask, then, in addition to the 3,456*l.* you would still make an annual loss of 368*l.*?—Yes, we should have really a loss of 368*l.* more than we lost before, instead of 735*l.*, as in the Board of Trade Schedule.

39. Whatever is done, even under our proposal, we stand at a loss of nearly 400*l.* in addition?—Yes.

40. So that, instead of putting any extra charge upon the traders, we are giving them the benefit to the extent of 368*l.*?—Yes; but that would be upon the general trade.

41. I am speaking of traders as the public?—Yes.

42. That leaves us still a loss upon capital expenditure?—Yes.

43. You are receiving no interest whatever upon the enormous sums spent in this way?—No.

44. Have you inquired as to whether these exemptions were given as payment for land taken—Yes, I have. We have referred to the deeds in the possession of the Ambergate Company because that is a still existing corporation, and find practically a conveyance for all the land used for the purpose of the canal, and the capital sums which were paid for it. Taking the average all round, it is something under 50*l.* an acre.

45. I see in the conveyance amongst others the Duke of Rutland was paid for the land that the old company took for the construction of the canal?—Yes, about 3,000*l.*

46. One or two words in the preamble of the Trent Bill were read about the different circumstances. Can you tell their Lordships whether the circumstances here are entirely different from what they were when the exemptions were granted?—Altogether. These canals were then practically the only waterways in the district, and the only means of communication. Formerly there was a very large trade in both directions; there is nothing comes out now, because either by the Great Northern Railway or the Midland Railway the traffic is practically gone; it is only the waterside people close to the waterside who have any.

47. Formerly you say there was traffic in both directions?—Yes. We have looked back a great number of years to see what was the condition of the canal, or the canal company rather, at the time when it was self-existent, and they did not make a very heavy profit, the outside was 3 or 3½ per cent.; but such as it was it arose from traffic passing in both directions. Now there is hardly anything comes out.

Chairman.

48. In point of fact the Great Northern and Midland Companies have pretty nearly done for these canals?—That is so; they have provided the means of carrying the traffic that formerly went by these canals.

Mr. *Balfour Browne.*

49. As a matter of fact the traffic which formerly went upon this canal does not now necessarily go upon the Great Northern Railway?—No, unfortunately not.

50. It has diverged not into our pockets, but into that of a rival railway company?—It has been shared, and the Midland Company got the best share, because their railway is nearer the canal.

51. As to the road-stone traffic, are the circumstances entirely altered?—Yes, so I am informed, but the information given to me related to many years before I had anything to do with the canals at all. The modern maintenance of the roads practically depends upon granite, and they get it from all parts; formerly it depended upon the native gravel, and there was very little of it indeed upon the canal.

52. Again, am I right in supposing that this exemption is largely taken advantage of. Take the Grantham Canal, can you say of your total tonnage how much pays no toll at all?—Yes, it is about 67 per cent.

53. From 65 to 78 per cent?—In 1888 we had 27,000 tons, of which 18,000 was exempt; in 1891 we had 22,900 tons, of which 14,900 was exempt; in 1892 we had 34,000 tons, of which 27,000 was exempt.

54. That varies from 65 to 78 per cent. If we got power to repeal these exemptions, would these classes of traffic, manure and road-stone be charged the lowest class of rate?—Yes.

55. They would not be put up to an exorbitant rate, but only be charged the very small rate that we ask Parliament to sanction?—Yes, and that which Parliament has given for these very articles upon other canals.

56. If road-stone and manure was carried upon other canals they would pay the tolls?—Yes.

57. As to the alternative; if we do not get the exemption repealed, would it be fair that we should have the power of charging more than we proposed ourselves, and the Board of Trade allowed us, beginning with the 0·50*d.*?—Yes, if that was the case we should like to put before this Committee this: that if, for any reason, the Committee think that these exemptions should be discontinued, then we should not be driven down to the lowest scale allowed to any canal company not suffering from such exemptions. We desire to meet it reasonably; we have only asked such a moderate increase in the Board of Trade proposals as will about replace what we believe, in fact, so far as we can calculate, what we know we should lose by the continuance of the exemptions. We felt and still feel that it is practically robbing Peter to pay Paul; the one has had exemptions in the past, and the other has paid much higher in the past than they will pay in the future, and we think respectfully that it would be but reasonable that our extreme loss should be moderated, as far as possible, by giving us a little higher than the lowest toll.

58. I want to ask you this: supposing the exemptions are done away with the loss will, to some extent, fall upon the farmers who have to mend the roads?—Yes.

59. Wil they get by reason of the low tolls that we propose, to a certain extent, a *quid pro quo*?—Undoubtedly. We have endeavoured to test that. Assuming the parishes to get the benefit of the exemption on the road-stone, we should ask that the tolls should be increased; if the exemptions are abolished, we have tried to see the effect on the different traders on the canal of the abolition; and taking out a dozen or fifteen of the largest, and the amount they paid us for actual tolls on the same traffic, that they would have to pay under the Provisional Order, and, again, on the same traffic, with the exemption disallowed, they paid us 1,554*l.* on the two canals, they would pay us 810*l.* under the Board of Trade Order, and they would pay us 1,273*l.* on our amended Order, so that there would still be a decrease of 280*l.* 13*s.* 8*d.*; but there would not be the decrease that the Provisional Order would impose upon us.

Mr. *Balfour Browne*—continued.

60. It might not absolutely always fall to the lot of the person who got the exemption to get the benefit, but generally the public would get the benefit of the low tolls?—Yes, they are undoubtedly better off on coal. Coal is used by everybody in the parish. Now, out of the total of 220*l.* actually paid in the past for tolls on coal, 72*l.* 12*s.* 9*d.* only would remain to be paid under the Provisional Order.

61. The parishes would get the benefit of 140*l.* on the coal?—Yes; and even on our arrangement there would still be a reduction of 146*l.* out of 220*l.*

62. Only one question with regard to your alternative; as you say, if the exemptions are to be continued you would have to charge other people more for their coal, and so on?—You must put your qualification right. If the exemptions are to be continued and the Committee give us our increased tolls, somebody will pay more.

63. What do you propose as an alternative, if the Committee will not repeal the exemptions?—That our tolls be increased in the manner shown in our amendment to a very small extent.

64. You start with, instead of 0·50*d.*, with 0·75*d.*?——

Chairman.] That is if the exemptions are refused.

Mr. *Balfour Browne.*

65. Where did you take that scale of tolls from?—From the Cromford Canal. The Cromford Canal is a continuation of our canal.

66. It belongs to the Midland Railway Company?—Yes, but it is a short canal, and the Board of Trade assented to give them 0·75*d.* for the lower classes, giving to us 0·50*d.* Of course the Board of Trade had their reasons for the difference.

67. Even if these tolls were 0·75*d.* the public would still gain, and you would still lose in addition to the 3,456*l.* another 235*l.*?—Yes.

68. Under these circumstances do you think that the proposal that you make is perfectly fair to the public?—I hope so, or else I do not think I should have made it. I think it is fair and reasonable and it lessens the loss upon the Company to an extent we think we have the right to put forward, because of the precedents that have been established in other cases, and because (it is no use blinking it) we rely upon justice and we think the Committee will give us justice.

 69. Where

Chairman.

69. Where does this stone come from that passes over the canal?—On to the Grantham Canal?

70. Yes?—Principally from the Mount Sorrel quarry.

71. Where is that?—Some distance off; it comes up the Trent first of all, passes on to our canal, pays us one shilling a boat and then gets on to the Grantham Canal.

72. Then once on the Grantham Canal the stone pays nothing?—No.

73. Then that stone goes from Nottingham to Grantham?—Yes, it is drawn to all points required along the canal.

74. When it gets to Grantham, is the stone which goes over your canal and which pays nothing used for the repair of the roads in Grantham?—I think it has the right to do so. I cannot say that it actually does. No, there is very little stone I am told goes so far as Grantham

Lord *Hawkesbury.*

75. That is used in the neighbourhood for parish roads?—Yes.

Mr. *Balfour Browne.*

75*. The Mount Sorrel Company is one of the companies, a limited company, trading in stone?—In granite.

76. And its quarry is away up the River Trent?—Yes; in Leicestershire.

77. Is there another company that sends stone also?—Yes; there is another company, but the Mount Sorrel Company is the main company.

78. That stone, when it gets on to the Grantham Canal from the Trent, can travel the whole 33 miles to Grantham without paying a penny?—Yes.

Mr. *Young.*

79. Notwithstanding the loss you point out, is this canal advantageous to your railway company as a corporation?—Not as a commercial result.

80. Is it any advantage to the railway company?—No: the canal was forced upon the Ambergate Company at the time of the incorporation of the company, because they are owners of the canal, and they saw wisely that if the railway was established their trade would go and their canal business would suffer. They opposed the Ambergate Company successfully in the first Session, and in the end there was a settlement come to to buy it for 10,000*l.*

81. In what year did you get possession of this canal?—About 1860, and the Ambergate Company bought it in 1845 or 1846.

Cross-examined by Mr. *Whitehead.*

Chairman.] Who do you appear for?

Mr. *Whitehead.*

82. For the Mansion House Association, some members of which, on the Local Board of Grantham, are concerned in the carriage of repairing material; and also for the Corporation of Nottingham, who are concerned in the carriage of manure and town refuse from their works on the Nottinghamshire Canal over the Grantham Canal for the supply of farmers along the route; and also for the County Council of Kesteven, in Lincolnshire. (To the *Witness.*) As I understand you, this question of the loss through the exemptions is really a serious question raised before the Committee to-day?—Yes, certainly. All these questions come to £. *s. d.* If the exemptions continue we shall not get so much money as if they are abolished.

Mr. *Whitehead*—continued.

83. Let me follow that in detail. If the Board of Trade Schedule is accepted by the Committee as it stands, I understand you will lose 3,456*l.* a year, plus, 735*l.*?—Yes.

84. That is 4,191*l.*?—Yes.

85. And if your proposition were accepted you would lose 3,824*l.*?—Yes.

86. So the whole question before the Committee is the difference between 4,191*l.* and 3,824*l.*?—Yes.

Chairman.] And the justice of the case as well.

Mr. *Whitehead.*

87. Yes. (To the *Witness.*) The question is the quantum of loss. That is the whole amount of it?—Yes; we do not know what is going to happen in the future.

88. I think you will agree with what you said on a former occasion that at present you charge your maximum charges?—On the canal; we have not disturbed any tolls charged on the canal since we took it.

89. You took it over from the Ambergate Company, and that Ambergate Company charged also the maximum?—Yes, of course they would do so; we are not charging the maximum all through now and have not done for years.

90. Substantially you are charging the maximum?—Quite so.

91. I think you will agree with what you said about six months ago before the Board of Trade, that if you lower the tolls there will be a tendency to increase the quantity of traffic?—Yes, I should think so.

92. You expect there would be an increase?—I think that is a reasonable conclusion.

93. In connection with an undertaking of this kind there are certain fixed charges whether any traffic goes or not?—Yes; so long as we are bound to maintain the canal.

94. Therefore the greater the quantity of traffic on the canal proportionately the less your loss?—That depends on the price at which it is carried; if it is carried at our own figures the loss must be less, unless the expenses of working are increased, and that is a very serious question. We have not put it forward, because it is in the future, and we cannot say what will happen, but the difficulty arises in this way: There is a great scarcity of water in that district, and if the trade on the canal necessitated a loss of a certain quantity of water through the lock into the Trent we might be driven at seasons to additional expense to keep the canal open.

95. You have a special amendment dealing with that point later?—It bears upon the question distinctly of net profit or net loss.

96. Take the Nottingham Canal for a moment; the

Mr. *Whitehead*—continued.

the exemption there only applies when the water flows over the waste weir?—Yes; the exemption only applies then, because though it is traffic for places that are exempted, it is only enforceable against us when the water is over the waste weir.

97. And that never happens practically?—I am sorry it does not very frequently happen because we have not the water.

98. Therefore, on the Nottingham Canal this exemption in practice does not appear to be of any importance. The traders do not avail themselves of it?—That is so.

99. It is associated with this condition: that the trader can only claim to go free on the canal when the water is of such volume that the water can flow over the waste weir?—The exemption, as it exists under the Old Act, contains that qualification, but the exemption, as proposed by the Board of Trade, does not contain that qualification, and therefore the exemption would apply in the case of the Board of Trade schedule to this stone and manure carried under all conditions.

100. In that state of things you would prefer to go back to the old clause on the Nottingham Canal, and not accept the Board of Trade schedule?—If that was the only point obviously we should do so, but we look at the thing from a broader point of view.

101. From the traders' point of view the exemptions on the Grantham Canal are important?—Yes, and we repay the traders by reducing tolls. The traders, except such individual traders as deal only in manure, all the other traders who have general goods, will gain more than they lose by the toll added for manure.

102. You were in the room when the learned Counsel stated that the character of the country had changed?—Not of the country.

103. I will ask you a question upon that; it appears to me that the country all along the Grantham Canal up to Grantham remains an agricultural country?—It does.

104. You are aware of the fact that it a clay soil there?—You have told me that before the Board of Trade.

105. You know that?—Yes, I may say I do know it.

106. It is an important matter for the tenants on the estates along there that they should get their manure cheaply?—Undoubtedly.

Chairman.] That applies in all parts of the country.

Mr. *Whitehead.*

107. Particularly here. (To the *Witness.*) In that respect the circumstances along that canal have not changed the last 100 years?—No doubt.

108. With regard to the road stone, I think it is the fact that there is no road-stone or repairing material in that valley?—I am informed not, I do not know it of my own knowledge, I am informed that for the highways at all events, this granite is used.

109. You say that the County Councils and the Local Authorities, if you charge them something extra over and above what they have to pay, will get recouped under the other tolls?—Yes,

Mr. *Whitehead*—continued.

110. Suppose they do not have any other traffic, how are they to be recouped?—I specially except those.

111. You are going to rob Peter to pay Paul?—Has not Peter been robbed all these years and Paul got the benefit of it.

112. You have had your consideration out of these clauses so far as the Nottingham Canal is concerned since the exemptions are not made use of, the abolition of the exemptions would be no reason for raising the tolls?—The exemptions have not only not been abolished by the Board of Trade, but they have rather been worsened. I want to abolish them and accept the Board of Trade toll.

113. If the exemption remains as up to the present time in the old Act, that fact is no reason why you should raise the tolls upon the Nottingham Canal?—Yes; because the exemptions would still continue; I should still have to bear the loss.

114. There is no loss, the exemption is not made use of?—Very well then, do not continue it.

115. If that is so you do not suffer any loss?—No.

116. Therefore that is no reason why you should raise the tolls?—If I suffer no loss there would not be a reason for raising the tolls.

117. You are aware of the fact that this question was discussed before the Joint Committee of last year, this question of exemptions, first of all upon the Leeds and Liverpool Canal?—I was not there, I only heard it incidentally.

Chairman.

118. What are the rates upon these canals that you are charging now as compared with the rates you would have power to charge under the Board of Trade Schedule?—I will read them, taking the Grantham Canal first, for coal and coke we have the right to charge under the old Act on gross tonnage, 2½*d.* a ton.

Sir *William Houldsworth.*

119. Are those the rates you are charging?—No, not for coal, we do not charge these full powers on coal, we make special rates to accommodate particular traders from time to time; under the old Act we can charge a 1½*d.* toll for any distance on the canal beyond the 2½*d.*; the Board of Trade have abolished the gross toll of 2½*d.*, and given us ½*d.* for the first ten miles, ·45*d.* for the next ten miles, ·25*d.* for the third ten miles, and a 15th of 1*d.* beyond that.

Mr. *Whitehead.*

120. That is 2¼*d.*?—Yes, as against 8½*d.* Then on goods practically the same tolls are given by the Canal Act, and the Board of Trade tolls amount, for the entire distance, to 2¾*d.*, as against 8½*d.*, which is our present power on goods.

121. What practically do you now charge on goods?—I cannot answer such a general question as that, because there are lots of special tolls by which there is a special allowance, for instance, to the Nottingham Corporation on gas tar, and on their manure, their night-soil, and for pitch.

Mr. *Whitehead*—continued.

There is really no mileage scale of toll charged at present, but we have made from time to time the best bargain we could with the traders; we got them to pay as much as we could, and they have got us to take as little as we could accept, so between the two we have lived in harmony up to the present time.

Cross-examined by Mr. *Souttar* (for the Duke of *Rutland*).

122. Do you know to what extent the canal goes through the Duke's estates?—I do not know the exact distance, it is some miles.

123. Twelve miles?—I will take it from you.

124. From Woolsthorpe to Hose is 16 miles?—Yes.

125. You say the canal was acquired in 1846?—By the Ambergate Company.

126. Can you say what the traffic on the canal produced at that time?—No.

127. I suppose it is the fact that the railway company took over the canal for their own benefit at that time?—No, that does not happen to be the case, because the canal company opposed the construction of the Ambergate line on the ground that it would ruin their business, and after a long negotiation the canal was sold to the railway company very much against the railway company's wish to purchase it.

128. The railway company got the benefit in this way that competition was prevented?—Yes.

129. That was a considerable benefit?—I am always puzzled to find a reason for that being said, because if a railway company is owner of a canal, it does not matter whether the traffic is carried on the canal or on the railway, if any profit remains it will reach their pockets by whatever route the stuff is carried.

130. That is rather our point, that there is not much necessity for altering the tolls and removing the exemptions. You would not have been in such a prosperous condition if the canal had been in competition with you at the present time?—I do not think it would have made much difference. We should certainly not have had to lose 11,000*l.* a year, and I do not think the canal would have retained the traffic in the face of the competition with the railways.

131. But you have taken the traffic off the canal and put it on your railway, or a considerable part of it?—Yes, but we have to pay 11000*l.* a year for that amusement.

132. But how much benefit have you derived from it?—I am rather under the impression we have not derived any benefit from it. The greatest possible mistake for a railway to make is to buy a canal, because the railway will be sure to get the traffic and they need not pay for the canal.

133. Can you estimate the amount of traffic you do get from the canal?—No; it is not possible to know where traffic comes from; it is like the wind.

134. What reason have you for saying that these exemptions in the old Act were not given as part of the compensation for the privilege of going through these estates?—I have not said

Mr. *Souttar*—continued.

that; I said there was no personal exemption mentioned in any of the Acts, they apply generally. We have looked to the conveyances, and we find there is no mention of exemptions being taken as part of the purchase. We cannot find a single case in which it is provided that the exemption shall be continued as part of the consideration for the transfer of the land: and therefore, looking at the price paid, and recollecting that it was 100 years ago, we came to the conclusion that the average price of between 46*l.* and 47*l.* an acre was really a fair price for land in that district at that time.

135. As the exemption is contained in the Act, you would not expect it to be referred to in the conveyance?—But the exemption is not, as I say, in any sense personal. And if you look at the exemptions in the Grantham Act you see there is no limit to them; the goods may come on to the Grantham Canal and go to the North Pole, they would still be exempt.

136. Have you compared the exemptions in this Act with those in other Acts at that time? Is not it the fact that these exemptions are rather peculiar, and go beyond what the ordinary exemptions are?—Not that I am aware of; they go beyond the Nottingham exemptions, but I do not know of any others.

137. The exemption in this case is for materials, not only for public but for private roads?—Yes.

138. That is, I believe, unusual; the exemptions are usually for public roads?—According to modern ideas, of course, it was very unusual.

Chairman.] Are you prepared to prove that this land was given for a consideration?

Mr. *Souttar.*

139. I think we are. (To the *Witness.*) I believe there is no road material to be obtained in this part of the country; it has to be brought from a distance?—So I am informed.

140. And the manure which is brought to these estates comes over the canal from Nottingham?—Yes.

141. Do you know a place called Hose?—There is such a place, I believe.

142. That would come within the 20-mile scale?—Yes.

143. Do you know the size of the boats that run upon the canal?—Yes, about 30 tons; 27 to 30 tons.

144. What would be the charge upon a load of manure coming from Nottingham to Hose, which would be within the 20 miles?—The first 10 miles ½*d.*; the next 10 miles ·45*d.*

Chairman.

145. The Great Northern Company bought the Ambergate Railway?—Yes.

146. But that has not been a very remunerative undertaking?—The railway without the canal would have done; but with the canal it has not been altogether so satisfactory.

147. Having some experience in railway matters, what made you buy the Ambergate Railway with the canal?—I should be very sorry to account for what happened 20 years ago in the management of railways; it was thought then, I suppose,

Chairman—continued.

I suppose, that it was a very good thing to do.

148. And it turned out a bad thing?—I must not say that it turned out a bad thing; the Ambergate line in itself connecting Nottingham with Grantham is not a bad thing; but with the burden of the canals upon it, it is not so good a thing. I do not want to say too much.

Earl of *Lauderdale.*

149. Were you compelled to take the canal as well?—The Ambergate Company bought the canal in 1846, on the opposition of the canals against the construction of their railway for which they were then applying. We did not take over the Ambergate Railway till nearly 1860.

150. You were compelled to take over the canal when you took over that company?—Certainly.

Mr. *Spicer.*

151. You told us that this canal paid something like 3 per cent. before you took it?—Yes.

152. Have you any figures with regard to the amount of traffic during that period?—No; we have no means of getting at that; the information I got about the Ambergate Railway was obtained from looking back into some old records of Nottingham to see what dividends were paid; there was no trade information that I could get.

153. Have you any opinion whether the traffic in those days, when this canal was paying at all events some return on its capital, was larger or smaller than at present?—Undoubtedly it must have been larger, because it does not pay anything now.

154. You admit that it was larger at that time?—Yes; the railway was not existing then. The railway has taken the traffic off the canal.

155. The estimates on which the proposals of the Board of Trade were made were entirely based on the present traffic?—Yes.

156. Yet, I think at a previous stage in this inquiry or in the inquiry on Railway Rates, you admitted that by reducing rates you increase traffic?—There would be a tendency for the traffic to increase by a reduction of rates; that is undoubtedly what we find in the case of railways, but whether any inducement would increase the traffic on canals I have very grave doubts.

157. Do you not think that with this reduction in the rates, payable by the general traders, you will a good deal more than recoup yourselves the loss which you are laying before us?—That is quite a matter of opinion. Our experience of this canal in the past has been that the trade has gradually decreased. I will not say every year, but within a series of years there has been a decrease of trade which has never recovered.

158. Do you take the same steps to develop your canal trade that you do to develop your railway trade?—No, because in the one case we are active traders, and in the other we are toll-takers only. The trader on the canal is the man to look after the business.

159. Still, you do not take the same pains to develope your canal traffic that you do to develope your railway traffic?—No, I do not, at the moment, see how I could usefully intervene between the canal and its customers.

Mr. *Spicer*—continued.

160. But you do intervene with regard to your railway traffic?—Yes, then I am the active carrier; it is my business to look after the traders in that case.

161. You intervene in the case of your railway, not only as between yourselves and your actual customers, but you also intervene as to those who may not be your customers, but who can send traffic in certain directions?—I do most actively intervene and canvass the trader with regard to traffic which he wants to send by railway; he is my customer, and I look after him, and if I can induce him to send by my railway instead of by another, I do so. On a canal it is different; there is no connection between the canal owner and the customer, because there is the intervening person, the man who owns the boats, and who alone knows who his customer is.

162. You find that in the case of railway traffic?—But I carry the traffic myself in the case of the railway; the boatman carries it in the case of the canal. If it was essential, or even desirable, that I should use my personal efforts to encourage the trade on the canal I would find some means of doing it.

163. There is a general impression that the railway companies purchase these canals and then practically do nothing to develop them, but rather divert the whole of the traffic in the districts through which those canals go, in favour entirely of the railway?—I know that it is said, but it is a vulgar error, because if the canal earns a profit why should the railway company seek to convert it into a loss simply to earn the profit on its railway?

164. If it can be shown that you are not using the same means to try to turn the loss into a profit on canals that you use in endeavouring to get a profit on the railway, it seems to me that what you call a vulgar error may have some foundation?—I will put it this way: the traffic, whether carried on the railway or on the canal earns one profit; what interest is it to the railway company to divert that traffic from the canal to make a profit on the railway? The company will only get one profit whichever way it goes.

165. You admit that you do not take as much pains to make the canal pay as you do to make the railway pay?—I cannot say that.

Re-examined by Mr. *Balfour Browne.*

166. When you carry by railway you collect the traffic, you canvass for it?—Yes.

167. On the other hand, the people who carry on the Grantham Canal are what we call carriers?—Yes.

168. They collect the traffic and they canvass for it?—Yes; they are in touch with the customers.

169. Take the most simple case of taking toll on a toll-bridge, could the person who merely receives 1*d.* for passengers going on the bridge, go into the town and canvass for traffic to go on that bridge?—He could do it, of course.

170. Would not he be to some extent losing his pains?—Yes.

Mr. *Balfour Browne*—continued.

171. You are bound, are you not, to keep up your canal in an efficient condition to be used by the public?—Yes; with a certain depth of water generally prescribed in every Act of Parliament.

172. And you spend large sums annually in the maintenance of the canal?—Yes.

173. You keep it up as an efficient highway? Yes.

174. So far as you know, that is your only real duty with regard to the canal?—Yes; that is the only duty imposed by the Act of Parliament.

175. And under the Traffic Act of 1873, if you do not do that duty you can be taken before the Railway Commissioners and made to do it?—I have not looked at the penal clause, but we have always performed that duty.

176. With regard to the Duke of Rutland's objection, he says in his Petition: "The Grantham Canal was authorised by the Act 33 Geo. III. c. xciv., certain exemptions from tolls being inserted therein in favour of the lands and estates of your Petitioner's predecessors in title, and their tenants, and other lands in the several parishes through which the canal was constructed and in consideration for the injury done thereto, by severance and otherwise, by reason of the construction of the said canal." He says, in consideratioh for the injury done thereto. If I turn to the Grantham Canal Act, instead of injury I find this: "Whereas the making and maintaining of a navigable canal from or nearly from the town of Grantham in the county of Lincoln through" several places "will greatly improve the lands and estates within the said county and will be of public benefit." Therefore instead of doing damage as he now says in his Petition, it was anticipated that certain benefit would accrue?—Yes; that was the ground upon which they got their Bill.

Mr. *Balfour Browne*—continued.

177. I see by the Act that the Duke of Rutland was the principal promoter of that Bill?—I do not know about his being the principal promoter; he was one of the promoters.

178. Then I find there are a large number of sections in the Act expressly for the protection of the Duke of Rutland?—Yes.

179. Section 15 and a number of others; I find about 12 differents sections are for the protection of the Duke of Rutland?—Yes.

180. Do you touch one of those sections?—No.

181. You leave every special exemption for his protection exactly as it stands?—Yes.

Sir *William Houldsworth.*

182. You spoke of the profit that the railway company earned on traffic, whether carried by railway or canal; but if the profit were greater per ton in carrying by railway, would not it be an advantage to the railway company to promote the traffic by the railway rather than by the canal?—Certainly.

183. Is it not the fact that there is more profit per ton on traffic carried by railway?—The profit on the canal would be the toll only; on the railway a portion of the profit would represent the toll, and the other the profit of working, and there would be a greater profit on the same quantity of goods carried the same distance by rail than there would if carried by canal, the company being only toll-receivers on traffic carried by the canal.

Sir *William Houldsworth.*] Then there is an inducement to the railway companies to promote traffic by the railway rather than by the canal.

Mr. *Pope.*] I do not propose to trouble the Committee with any more witnesses.

MR. JOSEPH PHILLIPS, is called in; and having been sworn, is Examined, as follows:

Mr. *Whitehead.*

184. YOU are clerk to the administrative County Council of Kesteven in Lincolnshire?—Yes.

185. I believe this question has been discussed before a special committee of that County Council and considered by them?—Yes, it has.

186. And you have been deputed on their behalf to come here and express their views?—Yes.

187. How many parishes in the County Council of Kesteven join the Grantham Canal?—Six.

188. They therefore get the benefit of the exemption clause in the Act of 1793?—As adjoining parishes.

189. Not only do they get the benefit of the exemption clause in the Act of 1793, but even if there was that limitation imposed upon the exemption which has been preserved by the Board of Trade in the Bill, they would still get a benefit?—Yes.

190. That is with regard to road stone?—Road stone is the only traffic that the County Council would carry on the canal.

Chairman.

191. Road stone is the only traffic in which you are interested?—Yes; speaking on behalf of the County Council.

Mr. *Whitehead.*

192. I will put it this way: even if there is a reduction of tolls on other articles, that does not compensate you for the imposition of new tolls upon yourselves?—No.

Chairman.

193. Where would that road stone be used?—It would be used upon the main roads, the ordinary highways of the parishes adjoining the Grantham and Nottingham Canal.

194. In the towns of Grantham and Nottingham?—The terminus of the canal is in the town of Grantham.

195. Would it be used in the streets of Grantham?—Yes, in the streets of Grantham.

196. The streets generally?—Yes.

197. And Nottingham?—I know nothing of Nottingham.

198. Up

Mr. *Whitehead.*

198. Up to the present time you have received this material over the Gratham Canal free of tolls?—We have.

199. What is the volume of traffic at present?—Last year 1,541 tons were used on the main roads in the parishes adjoining the canal, and the remainder was used on the ordinary highways in those parishes.

200. What distance does that material come over the Grantham Canal?—An average distance of about 30 miles, the canal is 33 miles long, and I take an average distance of 30 miles.

201. Under the schedule, if altered as suggested by the Great Northern Company, it would have to pay a toll as for an average of 30 miles?—Yes, I have calculated it out, it would be 1*s.* 1½*d.*

202. You would have to pay, in future, 1*s.* 1½*d.* per ton?—Yes.

203. Upon each of those 1,500 tons?—Yes.

204. I suppose you appear here on behalf of the County Council to ask that that privilege which they now have shall be reserved to them in the future?—That is so.

205–6. Can you explain to the Committee one point which will perhaps satisfy their minds that there was some consideration given to the company for these exemptions. It is the fact, is not it, that so far as the rating of the canal is concerned it is put upon a special basis?—Yes, by the 91st Section of the Grantham Canal Act the lands taken for the canal are to be rated only at the price of the agricultural lands adjoining the canal, and the company was not to be rated as a commercial undertaking.

207. If the canal was rated as a commercial undertaking what would be the result to the County Council of Kesteven?—The result to the parishes would be that they would get a very much higher rating, and in the county rate the county would have a very much higher rating.

208. So both the parishes and the county would get some return?—Yes, a large return; the rating of a mile of railway and the rating of a mile of agricultural land along the route of a railway are very different things.

Chairman.] I do not see how it applies.

Mr. *Whitehead.*

209. Let me assist you; the rating on a commercial footing is a higher rating altogether than the rating on an agricultural footing?—Yes.

Mr. *Balfour Browne.*] The rating on a commercial basis is the rate at which the thing would let, and because railways could be let at a high rent of course they are rated higher; this would let at nothing at all.

Mr. *Whitehead.*

210. We look upon this as a canal capable of earning profit; if the railway companies for reasons of their own do not earn a profit that is another question. (To the *Witness.*) I understand you to say that there is this difference in the system of rating, that if the company were rated on a commercial footing, in your opinion both the parishes and the County Council could get a larger sum in rates from the company than they do at the present time?—Certainly, very much larger.

Chairman.

211. That is if there are more profitable returns?—If it were a commercial paying concern.

212. Therefore you want to make the canals better paying than they are now?—I only speak of what the rating would be. The Rating Clause of the Act of Parliament is on the agricultural value of the adjoining land; if, instead of the canal being rated for land, it were rated as a commercial enterprise, it would depend upon its property, whatever it might be.

213. Therefore, you are in favour of the canal being a more profitable concern?—No, I would rather have the exemption for the road material.

214. That is another matter. Your suggestion is that the canal is not worked now for a profit?—Yes.

215. And you think it ought to be worked for a profit?—I think it might be.

216. And if it was worked for a profit you would get the benefit of the rate at which it would be rated?—If it could be rated, then as a commercial enterprise, but it cannot be rated at more than the agricultural value of the land.

Cross-examined by Mr. *Pope.*

217. The County Council get their road material cheaper by the extent to which it comes toll free?—Certainly; I can give you the difference.

218. I agree that is the case of the town council, but now just listen to this. Of course the money which is spent in the construction or maintenance of your main roads comes out of the county rate?—Yes, with the Government subvention.

219. Therefore if that rate is increased it is to the detriment of the rate of the whole, not the town council?—Certainly.

220. Supposing the ratepayer gets the benefit of the reduction upon other commodities, it does not matter to him whether he pays one-eighth of a penny more to the county rate, does it?—No, I do not think it would.

221. I know the County Council, *qua* county council, will get their own material cheaper; but it is not to the advantage of the ratepayers generally if they paid a little more for their roads and got their traffic conveyed cheaper upon the canal?—It would depend upon the amount of traffic and the articles they got by the canal.

222. Take coal. I suppose some coal is burnt even in Grantham?—If coal came by the canal.

223. If it came by the canal at the reduced rate so much the better for the consumer of the coal, and that means for every ratepayer, does it not?—Yes.

224. I agree it would depend upon the amount; you cannot make an exact balance. I should like you to tell me this. The County Council have charge of the main roads?—Yes.

225. What amount of material did you last

Mr. *Pope*—continued.

year bring over the canal for the repair of main roads?—Four hundred and seven tons.

226. What would it have cost you extra if it had been tollable?—From 1*s.* to 1*s.* 3*d.*

227. Take it at 1*s.* 6*d.*, that would be 30*l.*?—Yes.

228. Thirty pounds would be the extra cost to the County Council for the repair of the whole of their main roads?—No, the repair of the main roads only in those two parishes adjoining the Grantham Canal.

229. What was the total amount of tonnage that the County Council passed over the canal, free of toll, for the repair of their roads?—Four hundred and seven tons.

230. All that they could possibly save would be the toll that might be charged upon 407 tons?—There were 1,541 tons used on the roads, I speak of the County Council.

231. The parishes are not here to talk of it?—No.

232. At all events the County Council's interest last year would have been in 407 tons of roads material?—Yes.

Mr. *Pope*—continued.

233. Which would have cost them 1*s.* to 1*s.* 3*d.* more than it did, by reason of paying toll upon the canal?—Yes.

234. It would have been from 20*l.* to 25*l.* more chargeable upon the county rate?—Yes.

235. What is your total county rate?—I cannot say what it is.

236. What does a penny in the £. raise upon your rateable value in the township?—It produces 3,300*l.*

237. It would be 25*l.* as against 3,000*l.*, that is 1-120th part of a penny, that the county rate would be increased by reason of your paying this extra amount?—It may be so.

238. Do you not think that with a rate to the extent of 1-120th part of a penny, every ratepayer in the county would be advantaged by having everything cheaper that comes to him by canal, except road-stone and manure?—If he got it by canal.

The Witness is directed to withdraw.

SIR JOHN THOROLD, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

239. YOU are the Vice-Chairman of the Kesteven County Council?—Yes.

240. And you appear on their behalf to deal with the question before this Committee?—Yes.

241. I believe you are also a landowner upon the Grantham Canal?—Yes.

242. And you are also an occupier of land?—Yes. I have land in the parishes of Casthorpe and Sedgbrook, 29 miles from Nottingham, by canal.

243. You receive manure from the town of Nottingham by canal for your land?—I do.

244. Can you explain fully the circumstances relating to that?—I employ boatmen to bring the manure to my farm. In 1886 I had over 500 tons of this manure. I was not aware at that time that I was entitled to any exemption, and it was not until I saw the Act of Parliament a short time ago that I became aware that I was entitled to this exemption; I have always paid toll upon the manure.

245. I understand you paid a slight charge?—Yes, I did.

246. And in future you want, knowing what your rates are, to preserve the rates?—Certainly.

247. I do not want to take you into the large general question; it is to the interest of agriculture and the agricultural tenants in the district that they should get that manure cheaply?—They should get the Nottingham manure cheaply; it is very bulky and of small value, and costs a great deal in cartage, and in consequence a charge is made for the manure. I have since given up using it, as I find others much more cheaper in proportion; if it could be supplied at a low rate all the farms upon the canal would use it.

Chairman.

248. What does it cost to get to and from Nottingham to your place?—Three shillings and sixpence.

Chairman—continued.

Mr. *Pope.*

249. That includes the manure besides?—Yes.

Chairman.

250. What is the toll?—It costs, barrowed on to the wharf, 3*s.* 6*d.* a ton.

Mr. *Whitehead.*

251. How much does it cost you for carriage at the present time?—A boat-load of manure, containing about 50 tons, costs, in charges, 1*l.* 10*s.* 7½*d.*

Chairman.

252. That is rather more than 1*s.* a ton?—Yes.

Cross-examined by Mr. *Pope.*

253. What do you pay the Nottingham Town Council for their town refuse?—I do not know.

254. What do you pay for your manure?—I pay the bargeman supplying it. I contract with the bargeman to land it on the wharf.

255. You contract with the bargeman and he sends his boat to Nottingham, buys the manure and brings it back and lands it upon the wharf?—Yes.

256. What does he charge you?—Three shillings and sixpence a ton landed on my wharf.

257. The difference would be that he would then charge you 3*s.* 6½*d.*, the only extra over what it is now would be a halfpenny a ton, because it would become tollable——

Mr. *Whitehead.*] No, no.

Mr.

Mr. *Pope.*] I would rather cross-examine the witness.

Chairman.] Allow Mr. Pope to finish.

Mr. *Pope.*

258. I understood you to say that you employed a boatman, who took his boat to Nottingham, bought the manure, brought it back again, and delivered it on your wharf for a charge to you of 3*s.* 6*d.* a ton?—That is so.

259. Suppose, instead of going free over the canal, you had to pay a toll, you told me the amount, it would be about a halfpenny a ton?—The toll he charges me on the Grantham Canal, which he has no right to charge, and the company has no right to charge, is 16*s.* 3*d.*

260. You do not know even that the company got it; it may be that the boatman puts it in his own pocket like the cabman does?—Of course he may have done so, but on asking him to apply to the company he gave me this statement.

261. I have no doubt whatever he would give you a statement of this kind, but 16*s.* 3*d.* is what it is?—Yes, 16*s.* 3*d.* on the Grantham portion of the canal; on the whole of the canal the charges being 1*l.* 10*s.* 7½*d.*

262. Where did it come from?—Nottingham.

263. It would all go over the Grantham Canal, would it not?—No.

264. Then there would be the carriage on the Trent, but 16*s.* 3*d.* is the amount?—Yes.

265. How does he make up his 3*s.* 6*d.*?—That I have not got.

266. What does he pay for the manure?—That I cannot tell you; I have not got it.

267. What did you want to get from him? I should like to know how he justified charging you 3*s.* 6*d.*?—What I wanted to know was why he charged me tollage upon the Grantham Canal when I had no right to pay toll.

268. He charged you 3*s.* 6*d.* a ton?—Yes.

269. And you were willing to pay it?—Yes.

270. Where do you live?—Syston Park, Grantham; but I have estate at Sedgbrook and Casthorpe.

271. And lots of tenants?—Some.

272. At your own place you burn coal and use other commodities?—Yes.

273. As well as road stone and manure?—Yes.

274. Do you think you could recoup yourself the small charge upon your 500 tons of manure by the benefit you would get upon your other articles in having the toll reduced from 1½*d* to a halfpenny?—All coal comes by railway.

275. You can bring it by canal if you like?—The canal is four miles from where I live, and the railway two miles.

276. That is two miles extra cartage. There must be somebody on the canal who gets trade by the canal?—Yes.

277. Thirty per cent. of the trade upon the canal is not road stone and manure; what is it?—There is very little trade indeed on the canal, and during the winter months the canal is mostly frozen up.

278. That is the defect of most canals. Do not you see that you are asking to put upon the railway company the onus of maintaining the canal for a trade that you say ought not to pay anything for the use of it?—No; I claim by the Act of Parliament that my trade, agriculture, is exempt.

Mr. *Pope*—continued.

279. We know what the exemption is; at all events, what you say is this: that you ought to maintain the exemption, the result of which is to put upon the railway company the obligation of maintaining the canal, there being no other traffic upon that canal, according to you, except that which does not pay anything for the use of it; does that strike you as fair nowadays?—It strikes me as part of the railway company's undertaking.

280. I accept your answer. You know that your ancester sold this land to the canal company and was paid for it?—Yes; and I may add that according to the average price of land it was not an excessive price, considering that the estate was severed.

281. Did you go to a jury?—My ancestor might have done.

Chairman.

282. You say you got your 500 tons of manure, for which you paid 3*s.* 6*d.* a ton?—Yes.

283. And for a long time you did not know that manure was carried free upon the canal?—That is so.

284. Then you discovered it, and you have got the 3*s.* 6*d.* a ton reduced?—No; I applied to the man who owns the boat and he told me that he wrote to the company and he could get no change out of them.

285. Does it happen that the railway company did not get any change out of him?—I have not, since I found it out, ordered any more manure from him.

Mr. *Pope.*

286. Though you might have got it free?—I would not come to terms with the boatman.

Chairman.

287. You did not get any more manure from him?—I have not got any more by canal, but I have some by rail.

288. What manure do you get by railway?—The same manure; it comes for less money by railway than by canal.

289. The man who brought you the 500 tons did not reduce anything for having charged you more than he ought to?—No; I believe he paid the money himself.

Earl of *Lauderdale.*

290. Does this calculation of 3*s.* 6*d.* include the tollage?—Yes, it includes everything.

291. But you do not know what proportion of it was for tollage?—I do not know that.

Mr. *Spicer.*

292. Is he not willing to reduce the price by tollage for future loads?—I have not gone into that with him since finding it out; it was only a short time ago that I found it out.

293. You found that he could not give sufficient evidence to show that he had paid the railway company this tollage?—He stated so to me, and I believe he is right.

Mr. *Pope.*

294. Looking at our accounts, I think you have been done by the boatman, because, inasmuch as the 500 tons would represent 25*l.*, their total receipts for manure in that year for the distance you mention was 2*l.* 8*s.* 9*d.*; so that some one has got the balance.

Mr. *Spicer.*

295. You said that the toll was only 30*s.* 7*d.*?—That is for a boat-load; it contains about 50 tons.

Mr. *Spicer*—continued.

296. So that out of the two charges that Mr. Pope mentioned there might have been paid 30*s.* 7*d.*, and yet have left a balance?—Yes.

Mr. *Pope.*] It might have been so, of course.

The Witness is directed to withdraw.

MR. JOSEPH EVANS, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

297. You are the Borough Surveyor for the Corporation of Grantham, are you not?—Yes, I am.

298. Within the Borough of Grantham are there two parishes adjoining the canal?—Yes, there are.

299. I believe the council of the borough have considered the Schedule of the Board of Trade, which is embodied in the Bill?—They have, by a special committee.

300. The corporation, I believe, receive road material from Mount Sorrel, in Leicestershire?—Yes.

301. It comes up the Leicester Canal, then the Loughborough Canal, then the Trent?—Yes.

302. To Nottingham, and then along to Grantham itself?—Yes.

303. What was the tonnage that you received in that way in the year 1893?—One thousand one hundred and fifty-eight tons.

304. What quantity of tons is used in the two parishes adjoining the canal?—Nine hundred and eighteen. We used to carry lots in the two parishes adjoining the canal.

305. The present time, under the Act of 1792 or 1793, all that 1,158 tons is entitled to come free?—Yes.

306. If this Bill, as drafted by the Board of Trade, is accepted by the Committee, then only 918 tons would come free?—Yes.

307. The balance between the two numbers would be subject to the ordinary tolls?—Yes.

308. At the present time there are six parishes in the Borough of Grantham, and at the present time the road material coming for those parishes is entitled to come free, but under the Schedule as drafted by the Board of Trade only those parishes adjoining the canal itself are entitled to avail themselves of the exemption; you can only make out that six come within that category, and of those two would take 918 tons in the year 1893 out of the total traffic of 1,158 tons. Of course, that traffic has to come the whole length of the Grantham Canal?—Thirty-three miles.

309. What would be the cost per ton to the Corporation of Grantham?—Fourteen shillings.

310. That would be for the first 10 miles 0·50*d.*, for the next 10 miles 0·45*d.*, for the next 10 miles 0·25*d.*, and the remainder 0·15*d.*?—Yes.

311. Then the wharfage?—1·50*d.*

312. Making altogether 1*s.* 2*d.*?—Yes.

313. It is a mere sum that for 1,158 tons that would be 67*l.* 11*s.* a year?—Sixty-seven pounds eleven shillings a year.

Mr. *Whitehead*—continued.

314. If the exemptions were preserved in the qualified form the amount which the corporation would pay would be 14*l.*?—Yes.

Cross-examined by Mr. *Pope.*

315. It comes from Mount Sorrel?—Yes.

316. And it passes first over the Leicester Canal?—Yes.

317. Do you pay toll to the Leicester Canal?—I cannot say that.

318. Do not you pay toll?—No.

319. Do you buy it delivered at Grantham?—Yes.

320. It is you who pay the toll to the Grantham Canal, as you pay it in the price?—Yes, we pay it in the price.

321. You do not know whether you pay toll to the Leicester Canal or the Loughborough Canal?—I cannot tell you.

322. Upon the Trent formerly you would be exempt, but Parliament some years ago thought you should not be exempt?——

Chairman.] This gentleman does not know anything about that.

Mr. *Pope.*

323. No, he contracts for the quantity. (To the *Witness.*) Will you tell me this, it is all delivered whether going to your borough or some other parish on the wharf at Grantham?—Yes, all stone that is going to be used in Grantham is.

324. And all stone that is going to be delivered in all the six parishes?—Yes.

325. Only two being entitled to the Board of Trade exemption?—Yes.

326. How is the owner of the canal to know when he lands the stone on the wharf at Grantham where it is going to, so as to know whether it is chargeable or not?—All our stone is weighed out over the machine.

327. How is he to know whether it is going to one of the two parishes, or one of the six, you do not separate it, you put it in a heap?—He does not know.

328. How is he to make the proper charge?—I cannot say.

329. You admit that some may be chargeable, how is he to ascertain what is chargeable?—I have shown what is chargeable.

330. There

Mr. *Pope*—continued.

330. There is no arithmetical figure on a cube of granite?—No.

Re-examined by Mr. *Whitehead.*

331. Under the amendments proposed on behalf of the Borough of Grantham, the exemptions would remain as they at present are?—Yes.

332. Therefore that difficulty of distinguishing between one kind of traffic and another, and the destination of the traffic would not arise?——

Mr. *Pope.*] Do you propose that the rates should remain as they are?

Mr. *Whitehead.*

333. No. (To the *Witness.*) That difficulty would not arise?—No, because all the stone that we have from Mount Sorrel is booked direct to us.

334. Then all that traffic is entitled to go free?—Yes.

335. There is no necessity to distinguish between the different destinations of the different boat-loads of traffic?—No.

Chairman.

336. Does it all go free to whatever parish it goes to?—Yes, at the present time.

Mr. *Whitehead.*] That is what we want to preserve.

Chairman.] The proposal of the Boaad of Trade is that it should only go free to the two parishes adjoining the canal.

Mr. *Whitehead.*] The Board of Trade put a compromise between the two conflicting views; we said preserve them altogether, and the railway company said, abolish them altogether, and the Board of Trade strikes between the two.

Chairman.] What proposition has this gentleman come to support?

Mr. *Whitehead.*] He appears as against the proposal of the railway company.

Chairman.] In favour of the proposal of the Board of Trade.

Mr. *Whitehead.*] He cannot take two or three different views. He is in favour of our subsequent amendments to preserve the exemptions in the form in which they stand, but, of course, as the first step to obtaining that he resists the proposal of the railway company to sweep the exemptions away altogether.

Chairman.] Taking that view are you prepared to say that you oppose the Board of Trade?

Mr. *Whitehead.*] I prefer his answering the question.

The *Witness.*] Do you ask whether the Corporation would oppose the amended scale proposed by the Board of Trade?

Chairman.] Yes.

The *Witness.*] Failing the one, they would accept the other. Supposing the exemptions are repealed as a whole, then they would ask that the stone, which would be used in the two parishes adjoining the canal should come free as now.

Mr. *Whitehead.*

337. Half a loaf is better than no bread, and if you cannot get the whole loaf you would like half. The Beard of Trade have given you half, and the company propose that you should have none?—Yes.

The Witness is directed to withdraw.

Mr. ALBERT EDWARD PEARSON is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

338. You are clerk to Belvoir Highway Board in Leicestershire?—Yes.

339. That Highway Board has control, has it not, over 15 parishes adjoining them now?—Yes, 15 parishes altogether.

340. Seven of which adjoin them now?—Yes.

341. You sperk of the Grantham Canal solely?—Yes.

342. I do not want you to go at any length into the matter; do you also receive stone and road repairing material along the Grantham Canal?—Yes.

343. That is a fairly large quantity?—Yes.

344. What quantity in the course of the year?—Nearly 600 tons.

Chairman.

345. Every year?—Every year.

Mr. *Whitehead.*

346. What proportion of it was used in the parishes to which you referred as being adjacent to the canal?—All but about 50 tons.

Chairman.

347. Five hundred and fifty tons are used in the parishes adjoining the canal?—That is so.

Mr. *Whitehead.*

348. You come here to represent the ratepayers in this district?—Yes.

349. And they ask the Committee to preserve the exemptions?—Certainly.

Chairman.

350. How did you ascertain the feeling of the ratepayers; was there any meeting convened?—There was a meeting of the Highway Board, one waywarden represented a parish.

Cross-examined by Mr. *Pope.*

351. I should not be astonished if every waywarden of every parish in England would like to get his metal toll free?—Certainly.

352. Belvoir is in Leicestershire, is it not?—Yes.

Mr. *Pope*—continued.

353. How far from the Grantham Canal?—Six miles, I should say.

354. Then in point of fact you propose that this exemption should be maintained for parishes which stretch more than six miles from the canal; you think that is fair, do you?—Yes.

355. What possible benefit or injury would the canal do the parishes at a distance?—The canal cuts through the public roads; we have 12 bridges. It cuts through 12 public roads.

356. Have you 12 bridges over the canal?—Yes.

357. These parishes go on both sides of the canal?—Yes, these bridges are very inconvenient.

358. That is what it comes to. You find that you had got in 1792 an exemption from the payment for your benefit, and you do not want to give it up?—No.

Chairman.

359. How many of these parishes are now exempt from toll?—All of them; the whole of them.

Mr. *Pope.*] They would be under the Board of Trade Order, because they are adjoining the canal though six miles in extent.

360. (To the *Witness.*) How many parishes do adjoin the canal?—In my district, seven.

361. The 15 comprises the whole district?—Yes.

362. Seven of the 15 touch the canal?—Yes.

Earl of *Lauderdale.*

363. The seven are exempt now?—The whole are exempt now.

364. Are the 15 exempt now?—Yes.

Mr. *Whitehead.*

365. The bulk of the traffic goes for land in those seven parishes adjoining the canal?—Yes.

366. Five hundred and ninety tons out of 640?—Yes.

Mr. *Pope.*

367. Do you know this. Of course, now you get your stone from Leicestershire?—Yes.

368. But in 1792 the stone did not come to these parishes from Leicestershire?—I should say it did.

369. It came from gravel pits in the neighbourhood?—They may have had gravel pits in the neighbourhood.

370. The exception in 1792 would have applied to gravel pits in the neighbourhood, not right along the whole length of the 33 miles of the canal for which nothing was paid; is not that a change of circumstances since 1792. We can argue that without asking you to consider it?—Perhaps so.

Re-examined by Mr. *Whitehead.*

371. You do not know where the material came from in 1792?—No; it certainly came from somewhere.

he Witness is directed to withdraw.

Mr. FRANK B. HARRIS is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

372. You are deputy town clerk of Nottingham?—Yes.

373. And it has fallen to your duty to consider this question of exemption?—Yes.

374. Has it been brought before a committee of the corporation?—Yes, a committee specially appointed to deal with the Railway and Canal Rates and Charges under the Act of 1888.

375. And that committee has instructed you to appear here and represent them before this Committee?—I represent the corporation.

376. I do not want to take you into the question of the Nottingham exemptions; you agree that they are not availed of by traders at the present time?—No, those exemptions are practically useless. It is rarely that the waste water flows over the weir that we have never taken advantage of the exemptions.

377. But with regard to the exemptions on the Grantham Canal, you do make use of them, do you not?—We have never made use of them, because we were not aware until this inquiry commenced that these exemptions were in existence. The Act is a very old one, and old Acts are extremely difficult to define; we had great difficulty in getting copies of the Act, and we did not ascertain before the inquiry commenced before the Board of Trade in 1892 that the exemptions existed. We have paid toll on manures since our traffic commenced 20 or 30 years ago.

Mr. *Whitehead*—continued.

378. Do you know the maximum toll upon the Grantham Canal?—No; we pay a lump sum toll for the different lengths of the canal; 10*s.* 3*d.* a boat for the first 10 miles; 13*s.* 3*d.* for the second 10 miles; 16*s.* 3*d.* for the third 10 miles, and 19*s.* 3*d.* to the end of the canal.

379. Those sums are less than the maximum the company is authorised to charge?—Yes.

380. Are you aware of the fact that that present sum charged for manure upon the canal is the result of a compromise between the original canal company and Mr. Hall?—I have heard so.

381. I believe an action was brought in the Court of Exchequer by Mr. Hall, claiming an exemption?——

Mr. *Pope.*

382. What does the Town Clerk of Nottingham know of that?——

Witness.] I heard it mentioned in the inquiry before Mr. Pelham. I know nothing of it.

Chairman.

383. You know nothing of it?—No.

384. The

Mr. *Pope.*

384. The rates you mentioned are per cargo?—Yes.

Chairman.

385. Nottingham, from 1792 to 1892 was in total ignorance of the fact that any exemption existed?—Yes; they were unaware of the fact that any exemption existed upon the canal.

386. And that was because you could not get possession of the Act until 1892?—There was nothing to lead us to inquire for the Act, but as soon as the canal inquiry commenced we heard that exemptions existed upon other canals, and we looked up the Act and found that the exemptions existed in the Act, and then we took steps to deal with it.

387. You did not know; it seems strange that the town clerks of Nottingham, from 1792 down to a late period, did not know of the exemptions?—The reason is this: The traffic in town manure did not commence until 1870, and then on a very small scale.

Mr. *Whitehead.*

388. As Nottingham developed the removal of manure from the town became an important public question?—Yes.

389. The volume of this traffic has been increasing from 1870 until now?—Yes.

390. As the Borough of Nottingham increases in importanee and size, the number of inhabitants of Nottingham increases, of course?—Yes.

391. In a direct ratio?—It has been found so, to a great extent, but there are other large towns besides Nottingham.

392. The same sort of consideration would apply to Liverpool, or the Leeds and Liverpool Canal?—Yes, and Manchester.

393. I believe that that was dealt with last Session?—Yes.

394. And they got the benefit of the exemptions allowed?—Yes, they were allowed.

Chairman.] Are you speaking of Manchester?

Mr. *Whitehead.*] No, the Leeds and Liverpool Canal in Liverpool.

Chairman.] The circumstances of Liverpool and this are not alike.

Mr. *Whitehead.*] I understand the witness to say they are alike.

Chairman.] Nottingham is not so large a town as Liverpool.

Mr. *Whitehead.*

395. No, that is so, but the witness says that this traffic is increasing in volume, and as it increases they desire to get rid of it. (To the *Witness.*) Is there any other reason that you would like to urge before the Committee?—I may explain what is the point as to Liverpool. I was present at the inquiry as to the Leeds and Liverpool Canal, and the point there was that upon the Leeds and Liverpool Canal there was an exemption contained for manure delivered on lands on the canal; the Liverpool Corporation appeared and made the same contention as we do that the exemption should be maintained, and the Committee thought it desirable to maintain the exemption for the carriage of manure, that is exactly the same class of manure as we carry. There is this

Mr. *Whitehead*—continued.

further point, the tolls allowed by the Leeds and Liverpool Act are the same as the Board of Trade propose for the Grantham and Nottingham Canals, therefore the conditions are practically the same in this case.

396. I take it that you would be content with the clause offered by the Board of Trade?—Yes.

397. What would be the effect of the removal of the exemptions if carried out under the amendment proposed by the railway companies?—The effect would be that we should have to pay on the whole of the manure taken down by the Grantham Canal, it would vary in amount according to the quantity we carried each year. Some years we carried as much as 21,000 or 22,000 tons, in other years as low as 9,000 tons, last year it was about 10,000 tons.

398. Would it pay you to carry as far as the Grantham if you had these tolls imposed upon you which are proposed by the railway company?—No.

399. Up to what distance can you carry?—The railway company propose two schemes, either to sweep away the exemptions and charge 0·5*d.*

400. Take the case of the exemption swept away, and you are charged 0·5*d.* and 0·45*d.*, and so on; up to what distance up the canal would it be profitable for the Corporation of Nottingham to send the manure?—It is not profitable to send it; we send it at a loss; but if rates were put on as proposed by the Board of Trade, and we had to pay upon this manure, our rate would be increased above what we are paying on every distance above 11 miles; and when we get to long distances the new tolls would be double those that are at present paid, and in some cases more.

401. Is there any other reason that you would like to urge before the Committee?—Yes, I have one point that I should like to touch on, and that is this: if the exemptions are continued the railway company ask that the tolls may be increased practically 50 per cent. upon those proposed by the Board of Trade; that is to say, that all the Classes A, B, and C, shall be dealt with on the same scale, and that it shall commence with the initial toll of 0·75*d.*; the result would be that the tolls on all other articles that we carry would be enormously increased, and particularly on gas residuals, of which we carry large quantities upon the Nottingham Canal; that is to say, gas-tar, ammonical liquor, sulphate of ammonia, and all things of that kind.

Mr. *Pope.*

402. Gas-tar is not relevant; it is not manure?—It is relevant in this way, that the railway company ask if the exemptions are swept away that they should put the whole of Classes A and B in Class C.

Mr. *Pope.*] Nothing of the kind; we do not propose to alter the classification or the rate of the classification, I assume.

Mr. *Whitehead.*] If the exemptions are left, that is Mr. Harris s point.

Witness.] If the exemptions are left, I say. I mis-stated it. If the exemptions are retained,

Mr. *Pope*—continued.

then the railway company ask that they may be able to include Classes A., B., and C. under the same classes of toll.

Mr. *Whitehead.*

403. Do you know anything about the actual tolls charged upon the Grantham Canal for manure at the present time; have you any vouchers to show what they are?—I have two sets of vouchers showing 11th June 1894, and 12th June 1894, each is for a boat passing from the Nottingham Canal into the Trent, and across to the Grantham Canal.

404. Is that the amount paid upon the Grantham Canal?—The amounts are paid and have been charged regularly since we have carried the traffic.

405. What is the charge?—The charge is, as I stated, per cargo, and they vary in amount according to the distance traversed.

406. What is that?—I have given it once.

Cross-examined by Mr. *Pope.*

407. First of all let me call your attention to this; would you be contented to leave things as they are with the exemption and the rates and tolls given in 1792?—The existing tolls on the canals.

408. Yes?—No.

409. Then you not only propose to reduce the tolls, but also to claim the exemption?—The tolls are not reduced on some articles, though they are on others.

410. Is that what you propose?—That is what we propose.

411. You want the advantage to be all on one side?—Yes.

412. Obviously it is to your own benefit. You say that the exemptions existing in the Nottingham Canal Act are practically useless?—Yes.

413. But are you aware that the proposal of the Board of Trade would make those exemptions, which you say are now useless, very lively?—I do not think so.

414. You do not think so?—No; it is not my reading of the Clause; not at all.

Mr. *Pelham.*] The exemption is preserved just as it is, only limited to water parishes.

Mr. *Pope.*] That limitation is still maintained.

Mr. *Pelham.*] Yes, that is what is intended.

Mr. *Pope.*

415. I should like to know what quantity of town refuse you send away from Nottingham; you deal with your refuse on the dry system?—Yes.

416. You send away the ashpit refuse and the privy refuse, the whole of it mixed?—It is practically, the greater part of it, the contents of what are known as pail closets.

417. You mix it with ashes?—Yes; the ashes are mixed by the tenants of the houses; the pail-closets come from the small houses, and in lieu of using earth, as is used in the earth closets, the tenants put their ashes and refuse into tubs.

418. The fact is, that your system of sewerage, so to speak, is the pail-closet system?—Yes.

419. That is to say, you send it away dry in various directions around the town, instead of having the ordinary system of sewerage that many towns have?—Instead of having the water-closet system.

420. The Corporation of Nottingham would be very glad to have it taken away for them far nothing; that is their view; but how much do you send by the Grantham Canal?—I cannot say that. A large quantity is sent by rail; rather more than half by rail.

421. Do you pay for it?—Yes.

422. There is no exemption for it?—No.

423. What reason is there why your town refuse should be exempt going by canal which would not equally make it exempt if it went by railway?—Simply because there is a statutory exemption to that extent.

424. That was in 1792 when there was no town refuse?—The farms existed then, and the farms use the manure now; it is a question of the class of manure used by the farms.

425. It is to the relief of the corporation or you would not be here?—It is for the benefit of somebody. The manure is particularly useful for the soil in these districts.

426. What do you get for it?—One shilling and sixpence per ton, plus the tolls and the labour of the men.

427. For loading and unloading?—The men in charge of the boats are our own.

428. The boats are your own?—Yes; we own the boats and the horses and supply the labour.

429. Where do you send the bulk of what you send by canal to?—To various districts on the Grantham Canal.

430. What did you send last year on the Grantham Canal?—About 9,000 tons; the year before it was 16,000 tons; it various from year to year; some years more goes by rail than in other years.

431. The effect of removing the exemption would be to make either the Corporation of Nottingham reduce their price, or get an extra price from the farmers for what they send by canal?—What would take place would be that the farmers could not take it at the increased rate.

432. You would reduce their price?—We should send it all away by railway.

433. Why?—Because the places on the Grantham Canal, to which we send the manure, cannot be reached by rail.

434. You have 1*s.* 6*d.* at all events?—Yes, but we charge nothing for the boat or for our horses, it all costs money.

435. It is a question of the saving of money to the Corporation of Nottingham, that is what it is?—It is a saving instead of a loss.

436. We have heard from Sir John Thorold that he pays 3*s.* 6*d.* per ton for the manure delivered?—Yes.

437. Of that, of course, 1*s.* 6*d.* went to you?—No, 6*d.*, because if the farmer is a land-owner and fetches the manure himself, he sends his own men and horses and loads it himself, and we charge him 6*d.*, he taking it from our wharf. If we provide the boat and horses, and do the loading

Mr. *Pope*—continued.

loading, then we charge 1*s.* 6*d.*, he would pay 6*d.* a ton.

438. To you?—Yes.

439. You do not say that if this manure was to go in the Board of Trade classification under Class A. at the rates provided in the Schedule, that would be a dearer rate than the rate by railway?—No, we cannot compare them; the railway does not touch most of the points.

440. I will not ask you whether it can go to this particular district by railway; but if the farmers can afford to pay for it by railway why cannot the farmers afford to pay as low a rate per the canal?—At one or two points where the railway touches, the rate is less than the canal, and if we went by the new rates it would be much higher than the railway.

441. What new rate?—The new rate provided by the Schedule.

442. The new rate would be reduced on the canal?—No, the rate would be increased on the canal, the new rate is an increase on the existing rate.

443. You mean that the maximum would be more than the actual rate?—The maximum will be considerably more than the actual rate.

444. The actual rate by the canal is below the proposed maximum, is it not?—Considerably below at present for long distances over 11 miles.

445. The railway company could charge a higher rate than they do, could they not?—Yes.

446. Why should the conditions of things be altered if they get a lower Schedule. They do not charge their maximum now; why should they charge their maximum under the Board of Trade Schedule, or any other?—We must deal with the possibility of their charging their maximum.

447. The possibility is what exists now?—It is, similar high canal rates are not charged upon any canal with which I am acquainted. I should think not. They were rates framed 100 years ago.

448. And so were the exemptions?—Yes.

449. You propose to keep the exemptions that were framed 100 years ago, but to alter the rates to the disadvantage of the company?—If the exemptions had been based upon rates, but they are not based upon rates.

450. They are based upon what?—The conditions upon which the canals are constructed.

Mr. *Pope*—continued.

451. We have not heard a single suggestion that anything was done by the original constructors of the canal to assist it?—You have it in evidence that the agricultural rates only are charged.

452. Now let me ask you this, talking of the Leeds and Liverpool Canal. Is there any possible comparison between the Grantham Canal and the Leeds and Liverpool Canal; what is the revenue of the Leeds and Liverpool Canal, you say you were at the inquiry, and therefore you can tell me, was not the net revenue of the Leeds and Liverpool Canal 50,724*l.* a year?—Yes, I believe it was.

453. Is there any comparison between dealing with a canal in which the revenue is 50,000*l.* a year and a canal which leaves a deficit of 50,000*l.* on the working?—There is no comparison as to the returns of the canal, but the canal is carried on on a very different system.

Chairman.

454. Then you cannot compare the two?—One canal is controlled by the railway company, whose interest it is to push the traffic off the canal on to the railway, and not develop the canal; nothing is done to bring the canal to the notice of the public, and nothing is done by any facility being given to increase the traffic; on the other hand, the Leeds and Liverpool is one of the best-managed canals in the kingdom.

Mr. *Pope.*

455. You cannot compare a system of exemption in one case where the landowners made the canal with another case in which they got paid for their land when it was made; each canal should stand on its own bottom?—Each canal should stand on its own bottom, having regard to the conditions under which it was founded.

Mr. *Whitehead.*] I understand there is one more witness going to be called by the representatives of the Duke of Rutland; perhaps it would be more convenient if their evidence was taken first, reserving my remarks upon the evidence till it is complete.

Chairman.] Have you any objection to that, Mr. Pope?

Mr. *Pope.*] No, I have no objection to anything my learned friend likes to do.

Mr. HENRY ROBERT SCOTT, is called in; and having been sworn, is Examined, as follows:

Mr. *Souttar.*

456. You are agent for the Duke of Rutland's Belvoir estates?—I am.

457. What distance does this canal go through his Grace's estates?—Between 11 and 12 miles.

458. Will you point out on the plan between what points?—From Hose to Woolsthorpe Wharf.

459. What is the total length of the canal, from Nottingham to Woolsthorpe?—Twenty-eight miles.

460. What is the distanca from Hose to Nottingham?—Sixteen miles.

461. How many wharves are there on this

Mr. *Souttar*—continued.

part of the canal on his Grace's estate?—About 12 recognised wharves where the roads cross the canal, but the occupants of the land are in the habit of unloading manure and road materials over the towing-path; sometimes they have the opportunity of unloading it into the fields in which they use it.

462. That is allowed by the Act itself?—I believe it is allowed by the Act; it has certainly been the custom.

463. I believe it is allowed by the Act?—To the best of my belief it is allowed by the Act.

Chairman.] Will you quote the Section.

464. I will

Mr. *Souttar.*

464. I will have that looked up. (To the *Witness.*) Are you acquainted with the provisions of that Act?—I have read the provisions of the Act so far as they appeared to affect the landowners, more especially the interests of his Grace the Duke of Rutland, but I have not seen that Act lately, not since the last inquiry.

465. There is this recital, "And whereas the making of the canal will greatly improve the lands and estates within the said counties," that is, the counties of Nottingham and Lincoln?—Leicester in the case of the Duke of Rutland.

466. And then it goes on, "And whereas the several persons hereinafter named are desirous, at their own proper costs and charges, to make and complete the navigable canal"?—Yes.

467. Then I see one of the names is John Henry, Duke of Rutland, as one of the Promoters?—He was one of the Promoters.

468. Then there follow the names of other landowners, the Earl of Chesterfield, the Earl of Gainsborough, the Earl of Stamford, and others, those being all landowners in the line of the canal?—I believe so.

469. I believe his Grace considers that these reservations are of very great importance to his estates and to his tenants?—His Grace does, and he looks at the matter more especially as it affects his tenants.

Chairman.] You say reservations.

Mr. *Souttar.*] By that expression is meant exemptions.

Mr. *Pope.*] Not necessarily; there were several reservations in the clauses alluded to, and they have not been touched at all.

Mr. *Souttar.*

470. His Grace wishes that these exemptions should be preserved?—He does, and he said to me only yesterday, that he wished them to be preserved on behalf of his tenants, rather than personally on behalf of himself.

471. I believe there is a large quantity of manure brought on to the estates over the canal in the course of the year?—A considerable amount of manure; I have no means of knowing the quantity, because the manure is brought on by the tenants themselves, but from the statistics of the deputy clerk of the town of Nottingham I find that last year nearly 2,000 tons were delivered at the wharves along the Duke's estate, and presumably the greater portion, if not all of it, was for the tenants of the Duke of Rutland,

472. We have heard that the soil of the land in the Valley of Belvoir, adjoining the canal, is peculiarly adapted for the manure which is brought from the town of Nottingham?—It is a clay, the lower lias, and it is very much benefited by manure containing ashes.

473. There is a large quantity of ashes in the town refuse?—Yes, the ashes have a beneficial effect upon the soil, apart from the effect of the manure.

474. At the present time, have you been paying any rates for the carriage of manure over the canal?—Not in the last two years, I think; I do not think for the Duke of Rutland

Mr. *Souttar*—continued.

I have paid any rates for the carriage of manure the last two years.

475. I believe his Grace considers that the removal of this exemption would be disastrous to the tenants on his estate?—It would be injurious to the tenants to pay a higher rate for manure, because manure is very bulky; it is difficult of removal.

476. Then with regard to road materials, those are brought over the canal free?—They are.

477. And a very large quantity is used upon the estate?—Not a very large quantity by the Duke, but his Grace may have from time to time to make roads on farms, accommodation roads, and both granite and slag is brought for that purpose by the canal.

478. Do you know how many miles of roads there are on the estate, private roads?—Of private roads at Belvoir there are about 18 miles.

Mr. *Pope.*

479. Belvoir is not adjoining the canal?—No.

Chairman.

480. What has Belvoir to do with it?—I do not mean to say that his Grace maintains his private drive by means of the canal, except this, at the time when the canal was made there was a tramway made from the private wharf to Belvoir Castle, about two miles; it was the earliest tramway, I believe, in England, still existing; that was made for the purpose of bringing materials from the canal and is still used, but now more especially for coal.

Mr. *Souttar.*

481. Where does the stone principally come from that is used on the estate?—The stone that comes by canal is the same stone that is brought for the highways from Mount Sorrel.

482. There is no stone in this part of the country adapted for making roads?—There is no suitable stone in the vale of Belvoir adapted for making roads; the best material is granite, and the only other available material is slag.

483. I suppose you have no means of ascertaining the history of this Act, how it came to pass that these provisions for the protection of his Grace were inserted.

Mr. *Pope.*] There are no provisions for the protection of his Grace except such as we maintain; those exemptions are not in favour of his Grace specially.

Mr. *Souttar.*

484. There are a considerable number of provisions in this Act for the protection of his Grace?—Yes, as a landowner.

Chairman.

485. Not individually?—No.

Mr. *Souttar.*] Not individually, but as he owns one-third of the land through which the canal passes, the provisions are more particularly for his protection than for the protection of other landowners.

Cross-examined by Mr. *Pope.*

486. I have put in my hands by the railway company an account, which is headed George Pearson's account; who is Pearson?—Pearson is the contractor who supplies goods brought by the canal to the Duke, and also to other people.

Chairman.

487. He is a carrier?—Yes.

Mr. *Pope.*

488. Does he represent the Duke in his transactions with the railway company?—When he is acting for the Duke I presume he does.

489. It is put into my hand as being not in the name of the Duke, but in the name of Pearson as representing the Duke's transactions with the company?—It represents part of the transactions of the Duke with the company, all the transactions of the Duke at Woolsthorpe Wharf are carried on through George Pearson, those at the Duke's private wharf——

490. Where is that?—It is that to which the tramway is made.

491. At Muston Gorse?—Yes.

492. This is 1891, I find there were 1,800 tons of coal conveyed on the canal to Muston Gorse?—Yes.

493. Do not you think that as far as the Duke's interest is concerned, the considerable reduction upon coal which the Schedule would give him, would be a compensation for any charge upon broken stone or manure?—As far as the Duke is personally concerned, it would.

494. As far as the tenants consume the coal, too, it would?—The tenants do not get that quality of coal that the Duke gets.

495. I presume not, but to the extent to which they consume coal of course the reduction upon that would compensate for the charge upon stone or manure?—Yes, of course, if they pay a lower price upon coal.

496. Have you really taken the trouble to find out what the actual difference would be between the proposition of the Board of Trade and the proposition of the railway company?—I have not. I was not aware till this morning that I was going to be called as a witness.

497. When did you first pick up this old Act? When the matter came before the Highway Board, when this question first came up I think two years ago. It came first of all before the Highway Board, and I looked into the Act and I found that there were private exemptions, exemptions for private roads, exemptions for private as well as for public roads; I mean in the words of the section of the old Act.

498. Can you tell me the quantity of manure that has been taken on the canal since it was taken over by the Ambergate Company?—I have only been there five years.

Chairman.

499. Did I rightly understand you to say that if these exemptions were done away with the result would be disastrous to the tenants?—I did not use the word disastrous, the word disastrous was put to me in the question; I said injurious.

500. Do the farms generally consist of about 500 acres?—Two hundred acres, that is the run of the farms.

Chairman—continued.

501. For a farm of 200 acres what amount of manure would a farmer take from Nottingham in the course of a year?—He might take 200 tons.

502. What would the 200 tons come to?—On 200 tons, I believe, at the present rate, he would have to pay per boat, 30*s.* for every 30 tons. I am assuming that the boat goes over 24 miles.

503. Suppose it does not?—A great part of the Duke's property from Plungar onwards is over 20 miles, and the land is more arable there than for the shorter distance, the parishes of Hose and Harby are within the 20 mile radius, and there is a greater proportion of pasture in those parishes, the land improves in the Vale of Belvoir as it approaches the lower part of this map.

504. To what extent in money-value would those tenants be affected if the exemptions were done away with?—I have not gone into the figures.

505. You must have made some sort of calculation whether doing away with the exemptions would be injurious. You say if they were done away with it would be injurious to the tenants?—I say they do not get very much manure now, they would get more if they could get it under the exemption free

506. They do get it now free?—They have been paying for it, though they need not have done so. Sir John Thorold has given you the price.

507. You say if the exemption was done away with it would be very injurious to the tenants, then you say they do not use much manure?—They have not used much manure, because at present they have, we say, wrongfully been paying for the manure, the exemption has not been exercised.

508. How do you know that?—By the price which is paid for it. We have been told that the price of manure is 6*d.* there.

509. Do you know the price of manure at Nottingham?—No, I do not.

510. If you do not know the price of manure at Nottingham you do not know what the charges are upon the canal?—One charge is paid; we do not know what is for carriage and what is for manure; it is charged by the contractors.

Mr. *Pope.*

511. The scale which has been put in is this: the actual charge for 30 miles is 16*s.* 3*d.* a cargo; a cargo of 50 tons; for 200 tons you have to multiply 16*s.* 3*d.* by four; that is the loss to the tenants.

Chairman.

512. How much manure would a farmer use to an acre?—If he put 10 tons on each acre he would take 100 tons.

513. What does he take now?—I have no instance to give you.

514. Then you do not know whether he takes more than 2 tons?—I do not know what quantity the tenants take now. I was merely putting a hypothetical case.

515. In fact, you cannot tell us, if these exemptions were abolished, what amount of

injury the tenants would suffer in pounds, shillings, and pence?—No.

Mr. *Whitehead.*] That is all the evidence which I understand my friend, Mr. Soutar, is going to call, and it now falls to my lot to address you on the evidence put before you on our side, and on the evidence of Sir Henry Oakley. The aspect of the question put before the Committee when opened by my learned friend, Mr. Pope, was this, that unless you concede to them what they are asking at the present moment, you will impose upon them a loss out of all proportion, and which they ought not to be called upon to incur; but if you do concede them what they ask, then they will be in a fairly satisfactory position, and they are content. Your Grace will remember I asked Sir Henry Oakley for some figures upon that point, and the state of things appeared to be this, that under the Board of Trade Schedule, as it stands, they are subject to a possible loss, only a possible loss, but a loss of 4,191*l.*, whereas, if you give them what they ask they will be subject to a possible loss of 3,824*l.*, in fact, the whole question they are now raising is to save them that 370*l.* in round numbers. That is a very small matter for the Great Northern Company, and when they raise this question of loss it becomes a very important question for the Committee to consider whether that really is a true and *bonâ fide* loss or not. How is that arrived at? It is arrived at by taking the traffic at its present quantity, that traffic which, as Sir Henry Oakley admitted, both when asked the question by the Committee and by myself, has been steadily going down; it was a very large amount when it was an independent canal, then it decreased when in the hands of the Ambergate Company, and now, as I understand, it has decreased further still, and Sir Henry Oakley wants to take that small tonnage as the basis from which to calculate whether there is to be a loss or not; but when I asked him in cross-examination whether it was not the fact that lower tolls ought to increase traffic and diminish that expected loss he was bound to admit it. These tolls at the present time he admitted, except with a few trivial exceptions, are up to the maximum. So far as the railway company are concerned, they have used every power which Parliament conceded to the canal company in order to drive the traffic off the canal and not to encourage it to come there. If they had wanted traffic upon the canal, of course they would have lowered the tolls. They could have done that at any moment, and that would have been their policy had it been their object to develop traffic upon the canal and avoid loss in the working of the canal. The Committee ought not to have any calculation on that figure of estimated loss, because it is not a *bonâ fide* loss, but a loss incurred by the railway company with their eyes wide open for a perfectly different object, a loss incurred in order to take traffic on to the railway and take it off the canal. The Committee have heard in evidence from the town clerk of Nottingham that if these exemptions were abolished, and these small tolls which have been fixed in the Bill by the Board of Trade were imposed on certain kinds of traffic, that traffic will have to go round by the railway instead of the canal.

Mr. *Pope.*] Why?

Mr. *Whitehead.*] You ought to have asked that of the town clerk. The town clerk explained it clearly; because that traffic will not stand tolls of that volume when there are rates offered on the railway which will enable it to go cheaper. It is the policy of the railway company to take this traffic on the railway, and take it off the canal. On the canal they only get one kind of profit; they get the profit as toll-takers, whereas on the railway they get two profits; first of all they get the profit of the toll for transit which they would get upon the canal, and then they get a profit as carriers; therefore there is naturally an inducement for the railway company to impose their maximum on the canal and offer a low rate upon the railway. That being so, the figure of estimated loss is not a sound basis upon which the Committee can deal with this question; but even if it were, what is the difference?—The whole difference is as to whether one-twelfth of the loss shall or not be incurred, that is to say, 370*l.* out of the enormous revenue of the Great Northern Company. They say that the circumstances on the canal have changed since 1793; that the relative importance of the articles exempted and those not exempted has changed. Why has it changed?—Very largely owing to the influence of the railway competition to which I have already referred. I will put the case quite shortly. There are three classes of persons interested in this matter. There are, first of all, the landowners. I do not appear as representing any particular landowner, but I point out in passing that when the canal company in 1793 came before Parliament to get their powers they were, of course, opposed by the landowners through whose land the canal passed——

At Four o'clock, the Division-bell having rung, one or two Members left the room.

Chairman.] I am afraid we must adjourn. We have only one Member of the House of Commons left.

Die Veneris, 15° *Junii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON.
Earl of LAUDERDALE.
Lord CLIFFORD OF CHUDLEIGH.
Lord HERRIES.
Lord HAWKESBURY.
Sir WILLIAM HOULDSWORTH.
Mr. JOSEPH RICHARDSON.
Mr. SPICER.
Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER, No. 1.

(CANALS OF THE GREAT NORTHERN AND CERTAIN OTHER RAILWAY COMPANIES)—*continued.*

Mr. *Whitehead.*] WHEN the Committee rose last night, I was endeavouring to point out this: that the railway company have placed this question before the Committee as a question of serious loss. (Those are the words of Sir Henry Oakley); and I further showed satisfactorily I hope to the Committee, that the loss was merely a sum of 360*l.* a year, which I suppose, in relation to their total revenue, is the smallest possible fraction; that they are content to accept eleven-twelfths of the loss which the Board of Trade indicate, that they think just and reasonable that the company should bear, and that it is only this one-twelfth which they think it is unreasonable to be put upon them. Then I tried to explain to the Committee that if once they raise this question of loss it becomes a serious point for the Committee to consider what is the nature of that loss. Is it a *bonâ-fide* loss, or is it not rather an expenditure with a view to some ulterior object? And to answer that question I was asking the Committee to consider what it is that the railway company have done in the past. Sir Henry Oakley, when I asked him in cross-examination whether if he reduced the tolls there would be a tendency for the traffic to increase, admitted that it was so; and he admitted also that as the traffic increased the loss decreased. That must be so, because in connection with all undertakings of this kind there are certain regular and constant charges which have to be met whether there is any traffic at all or not; and consequently it follows, as a matter of course, from these two statements that if Sir Henry Oakley, a railway manager of great experience, had desired to encourage traffic upon this canal he would have lowered the tolls, or, at all events, kept them within reasonable limits.

(0.161.)

Then I went on to ask him, what have you done? And he said that with the exception of a few trivial cases they had charged up to the maximum powers authorised in 1793, and a railway company had been in possession of this canal for over 30 years, and during the whole of that period those charges have been in force; another railway company had possession of the canal before that time, and that railway company also enforced these maximum charges. What I ask the Committee to infer from these facts is this: that the tolls fixed upon this canal are not fixed *bonâ fide* for the purpose of making a profit and averting a loss but with some ulterior object in the interests of the railway company. Your Grace, if that is so, the whole facts will be indisputable as supporting my contention that this is not a loss at all, it is a mere expenditure; and if the traffic had been properly encouraged that loss of 3,000*l.* or 4,000*l.* would not have been put before the Committee yesterday.

But then Sir Henry Oakley went on in this way: I said the Board of Trade tolls are lower than the existing tolls; I think you hope there will be an increase of traffic, and he said yes. Now if that is so this loss of 360*l.*, or whatever it is, will be wiped out altogether whether you allow the exemptions or whether you do not, by the natural increase of traffic afforded by the facilities of lower tolls. Therefore I submit to the Committee that this question of loss which is in dispute, a small matter of only 360*l.*, ought not to weigh very much with you when you come to consider whether or not these private exemptions and particular privileges should be taken away. The fact is, your Grace, it came out in the evidence given by the Deputy Town Clerk of Nottingham, that probably there is some larger question behind this than merely

360*l.* I asked him what would happen if the exemptions were abolished and the tolls fixed by the Board of Trade came into force, and he told the Committee that upon this manure traffic that goes a distance of more than 11 miles those tolls would be prohibited, and they would have to send the manure by railway. That was the point and I think that the Committee may infer from that, coupled with the fact that the railway company have charged their maximum for over 30 years, that possibly there is something behind all this question, something greater than a mere loss of 360*l.*, and that what the railway company is seeking here is not to avert that loss, but to make a double profit, a profit as toll-takers and a profit as carriers upon the railway.

That being so, I would ask the Committee to consider who are the persons interested in the preservation of these exemptions. There are three classes, there are the landowners, the agricultural tenants along the canal, and there are certain public bodies, such as the Corporation of Nottingham and certain local boards, who own parishes adjacent to the canal. Now, take the landowners' case first. It is alleged that there has been no consideration for these exemptions. But what did Sir John Thorold say? It was put to him in cross-examination that he did not give his land for nothing, or rather that his predecessor did not, and it came out in evidence that his predecessor, so far from being friendly to the company, and arranging the price or anything of that kind with them, actually availed himself of his right to summon a jury and have the price fixed. That shows, I think, that at that time there was a certain amount of hostility towards the company, and the price fixed was a low price. Why was it low? Because when the jury, probably, came to consider all the circumstances of this case they saw, or at all events it was probably pointed out by Counsel, that the landowners were getting a benefit under the Act, because they would have this free carriage of manure and other articles along the canal, that that would be a benefit conferred upon their land, and that, therefore, the compensation to be paid to them, both for the severance of one part of their property from another, and for the taking of the actual soil, ought to be low. Then there was a reference to the Duke of Rutland's case. Mr. Soutter appears for him, and I will not argue it; but I would point out this, that it was perfectly clear that at the time when the Act of 1793 was passed, the Duke of Rutland was most interested in the provisions which were to be inserted in it. Clause after clause was put to Mr. Scott in the box showing that arrangements had been made with the representatives of the then Duke of Rutland; and I do say that what that points to is this, that the terms upon which the original canal company obtained their privilege of making the canal, were carefully considered and contested before Parliament, and that certain terms were put upon them.

Chairman.] Whom are you now representing?

Mr. *Whitehead.*] I am representing the Mansion House Association. It includes some landowners.

Chairman.] You had better leave the Duke of Rutland's case to be dealt with by the gentleman who appears for him. Will you give me the reference to Sir John Thorold's evidence, in which the predecessor says he paid for the land?

Mr. *Whitehead.*] It came out in the cross-examination by my learned friend, Mr. Pope, Question 281 on page 29: "Did you go to a jury?—(*A.*) My ancestor might have done."

Mr. *Pope.*] The previous question and answer is the one in which he admits that he was paid for the land; the other was merely the mode by which the amount was assessed. It was not a matter of agreement, but of assessment by a jury. I put to him this: "You know that your ancestor sold this land to the canal company and was paid for it," and he said "Yes; and I may add that according to the average price of land it was not an excessive price, considering that the estate was severed. (*Q.*) Did you go to a jury?—(*A.*) My ancestor might have done." Which, of course, settled all the questions of severance and the price of the land, and everything else. It might be a matter of bargain, but it was a matter of judicial decision.

Mr. *Whitehead.*] What I put before the Committee is this, that the company came to terms; that there was no prejudice shown by some of the landowners; and that certain terms were put upon them for the benefit of which was conferred upon the landowners and their estates. Then you came to the question of the agricultural tenants. It was opened as if there had been a great change in the character of the country, and in the nature of the produce, and so forth; but of course Sir Henry Oakley admitted that the circumstances of the Grantham Canal, and the agriculture in that district, so far as the requirements of manure, and so forth, are concerned, remain the same to-day as they were 100 years ago, and the district remains an agricultural district, and the farmers are interested in getting cheap manure. The only other interest concerned is the interest of the great public bodies. They are interested in two ways. There is the Nottingham Corporation interested in getting rid or its manure; there are certain public bodies at the other end of the Grantham Canal, the Grantham Corporation, the Belvoir Local Board, and the county council of Kesteven, who are interested in road-repairing materials. Well, your Grace, as regards this question of manure, Mr. Harris stated in the box that the amount of town refuse taken over the canal is a very large amount; one year it was 9,000 tons, another year it was 16,000 tons: and he says this is traffic which has been increasing since the year 1870. It is, therefore, I submit, a great public convenience that these exemptions should be preserved. It is an advantage for the corporation and the ratepayers at Nottingham that their manure should be got away cheaply; and it is an advantage also for them that they should send it by canal in their own boats, instead of being forced by the comparatively high tolls to send it along the railway of the Great Northern system. Not only that, but he explained to the Committee that they have already incurred a certain amount of expenditure

expenditure with reference to the traffic; they have invested their money in boats and horses, and they have developed the traffic in order to get rid of it along the canal. As regards the Nottingham Corporation; they have not up to the present time made full use of the exemptions to which they are entitled. The have, in reference to this manure, paid a certain toll; that toll is not the maximum toll, but a certain toll per cargo which was fixed many years ago as the result of a compromise with somebody along the fined canal in the year 1845. But when you come to consider this other question, the question of road-repairing materials, there it is a privilege, and for about 100 years these local bodies have had the benefit of it. The Grantham Corporation have six parishes which have availed themselves of this privilege. In the future under the Board of Trade Schedule that privilege will be confined to two of them. The Belvoir Local Board had 15 parishes, but the privilege is now to be cut down, if the Board of Trade Schedule is to be allowed, to seven parishes. And I would ask the Committee to remember this, that what they have to consider here is the question of the compromise which the Board of Trade thought fit to put upon us. We are not at this moment raising the larger question, whether all the exemptions should be preserved in their original form. That is not before the Committee at this moment.

Mr. *Pope.*] I may take it that you do not suggest that the whole of the exemptions contained in the Act of 1793 should be maintained.

Mr. *Whitehead.*] I am arguing against the contention of the company that the Board of Trade clause should be struck out. That is the first point; I will deal with the point in the way most convenient. If the Committee decide that we are not to have half a loaf, that settles the question whether we are to have a whole one. But suppose the Committee say, We think the compromise of the Board of Trade ought to be preserved, then it may fall to my lot to say, The whole of the exemptions should be preserved. I do not say that I have taken that course: but, at all events, the initial thing to be settled is, shall we have any of these exemptions at all? Now this is a compromise which, as I have pointed out, deprives the Corporation of Grantham of the benefit in four parishes out of six. It deprives the Belvoir Local Board of the benefit as regards eight parishes out of 15; and what I do say is that, at all events, that is not an extravagant concession to have made to the traders' contention.

So much for the justice and rights of the case. A question which the Committee will also have to consider is, Is this contrary to the precedents of the legislation laid down by the similar Committee last Session? Will it be introducing some new principle into the legislation of these Canal Provisional Order Bills? That, your Grace, it is perfectly clear it will not do. On the Leeds and Liverpool Canal there were certain exemptions, the benefit of which the landowners received; partly the landowners for for the benefit of their tenants, partly the corporation in getting rid of their town refuse.

Mr. *Pope.*] I am sure my learned friend will forgive me for this moment's interruption. If he is to quote the Leeds and Liverpool case as a precedent it will oblige me to point out what the Liverpool case was. It was not this case in the slightest degree. It was a case of a grant of exemptions to the original landowners whose land was taken for the purposes of the canal, and it was an individual privilege inherent to those who gave their land in the first instance. That is a totally different question to a general exemption in favour of a particular class of the public.

Mr. *Whitehead.*] This exemption has been altered, whatever its original form may have been in the Schedule of the Board of Trade, to an exemption solely in favour of the lands through which the canal runs. Therefore, I say, that if the Committee accept what the Board of Trade have laid down as just and reasonable, they will not be doing anything which is in conflict with the principles accepted by Parliament last Session, but will be doing something entirely in accordance with precedent. nor does the the Leeds and Liverpool Canal, and stand alone. When we came to deal with the Grand Junction last Session, it was found that there were certain exemptions the benefit of which was for the general public; those exemptions were not confined to the case of the Grand Junction and to the land owners along the course of the canal. So I may put my case even higher than I have done and say this, that Parliament last Session allowed exemptions to be preserved of a large character even than this which I am asking you to preserve at this moment. Under these circumstances I submit, looking at the smallness of the loss incurred by the railway company; looking to the fact that they can recoup the loss by the increased traffic which is anticipated; looking to all the circumstances; looking to the past dealings with this canal; looking to the fact that they have always enforced their maximum up to the present time, and looking to the fact that there is not only a private advantage to the land owners and the agricultural tenants, but that there is a public advantage also to the Local Board of Grantham at one end and the Corporation of Nottingham at the other, I submit to the Committee that this is a proper case in which the exemption should be preserved.

Mr. *Soutter.*] I have just a few words to say on behalf of his Grace the Duke of Rutland. Your Grace asked yesterday if there was a provision in the Act allowing the landowners to load and unload across the banks of the canal free of charge. I have since been able to find the clause, it is Section 107, of Act which I can hand in the Committee if they wish to see it.

Mr. *Pope.*] We do not propose to interfere with that—that will remain exactly the same.

Mr. *Soutter.*] I wish to explain shortly the attitude of the Duke of Rutland in this matter. He is of course interested in the general tolls upon the canal as a landowner, but he does not wish to interfere in that matter before the Committee. He intend to take up the same attitude as he did before the Board of Trade and leave the question of the maximun toll unless some-

thing special should arise, to be settled by the Committee after hearing the railway company and the traders who have been represented by Mr. Whitehead. What he is specially interested in is in preserving those exemptions which were put into the Act of 1793, for the benefit of his Grace and his tenants and the other landowners. I wish to point out to the Committee that this Act of Parliament for the construction of this canal was practically promoted by the landowners. In the Preamble it is stated that it is for the benefit of the land and estates through which it passes, as well as for the benefit of the public, and that it was intended to be constructed at the proper costs and charges of the landowners. Therefore, so far as I understand the case, it is precisely on all fours with the Leeds and Liverpool case which has been already quoted. The exemptions, as you have heard, are those in Sections 82 and 89 of the Act, the exemptions being. as follows: "Except all dung, soil, marl, ashes, and other manure (other than lime which shall pay half the said tolls)" I shall have to refer to that by-and-bye, "and except gravel, stone, and other materials for mending the public and private roads which shall pass toll free." I want to draw especial attention to the words "private roads," that affects our case materially. In this Act there are a large number of sections put in for the protection of his Grace, sections and provisions in which his Grace is especially named. There is Section 16 which provided that there should be no deviation without the consent of the Duke. Then by Section 17 he was to have a voice in the construction of the Kinpton Reservoir as to the method of supplying it with water. Then there was a provision in Section 26 as to the feeder drains to the reservoir. Then there is Section 27 preserving the fishing rights, and various other sections in which the rights of the Duke of Rutland were specially preserved. Then, in addition to those sections there are general sections which, though his Grace is not expressly named in them, are sections for the special protection of the landowners, and we have heard that the Duke owned the lands through which about a third of the canal was constructed. Therefore those provisions, though his Grace was not specially mentioned in them, are just as much provisions for his special protection as if he had been named therein. All this shows that his Grace's interest was very carefully looked after at that time, and that this Act of Parliament which contained those exemptions and those special provistons is really in the nature of a statutory agreement for the protection of his Grace, and I submit that an agreement of this kind ought not to be lightly disturbed; that those exemptions which are a statutory contract ought not to be repealed, and it is contrary to the practice of Parliament to interfere with those arrangements without the consent of all parties. I contend that you cannot sever those provisions and say that certain provisions are to be considered as forming part of a contract with his Grace at the time, and that other provisions which equally are put in for his protection are not to form part of the bargain. The whole must be considered together. Those exemptions have, at the present time, a particular value to the tenants; they were put in really for the benefit of agriculture, and we say it is not right or reasonable that those exemptions should be removed for the benefit, not of the public, but for the benefit of the railway company, and at a period of great agricultural distress. The object of the revision of these tolls is to remove burdens on trade and industry which high tolls cause, when used oppressively by railway companies for their own benefit; and we say this proposal to remove burdens from general trade, which, after all, is in a flourishing condition, and impose them upon agriculture which, at the present time, is in a state of distress and requires all the assistance it can get from the Legislature, is not right or reasonable. I do not know whether there is anything in the point that these exemptions are not good, and subsisting at the present time. We have that in 1845 legal proceedings were taken by the railway company with the view of getting them set aside——

Mr. *Pope.*] I have not heard that.

Mr. *Soutter.*] I think you will find that was mentioned yesterday. The railway company have not attempted to interfere with them since that time.

Mr. *Pope.*] I know nothing about that.

Chairman.] Do you say that in 1845 legal proceedings were taken with the view of getting the exemptions set aside.

Mr. *Soutter.*] I am referring to proceedings in 1845 by the railway company.

Mr. *Pope.*] They must have been taken by the old canal company long before it was taken over by the railway company; the railway company have not done anything in that way.

Mr. *Soutter.*] It was referred to in the proceedings yesterday; if I am wrong it is easy to refer to the proceedings and see what was said.

Mr. *Pope.*] 1845 was before the canal was transferred to the Ambergate Company at all; the Bill for transferring was not till 1846; anything that took place in 1845 the railway company is not responsible for.

Mr. *Soutter.*] Another consideration I ventured to mention yesterday, that is with regard to the ability or jurisdiction of the Committee to deal with these exemptions. We contend that they are in the nature of private arrangements which ought not to be dealt with by the Legislature if one of the parties to the arrangement objects to the arrangement being disturbed. I admit that if these exemptions were necessarily connected with the question of revision of tolls, the alteration of maximum rates and the alteration of classification of merchandise, we should have nothing to say, but we say this question of the exemption of tolls is an entirely distinct question from that of alteration of maximum. The Committee can raise these tolls or lower them to any extent without interfering one iota with these exemptions put in for the benefit of the landowners.

Chairman.] You mean this Committee has no power to deal with the exemptions in this Act of Parliament.

Mr.

Mr. *Soutter.*] I think not with these private exemptions.

Chairman.] What were the exemptions referred to by Mr. Pope.

Mr. *Soutter.*] They were public exemptions.

Chairman to Mr. *Pope*).] You referred to certain exemptions in an Act of Parliament of 1858; were those exemptions the same as these.

Mr. *Pope.*] Yes, exactly the same in principle, and relating to the same subject-matter.

Mr. *Soutter.*] That was by Private Bill after notices had been inserted and all the machinery for promoting a Private Bill had been put in force.

Chairman.] I do not see that that would have any bearing upon it, because if Parliament was entitled to deal with such exemptions by a Private Bill, we are entitled to deal with these.

Mr. *Souther.*] I think there is a distinction; in the case of a Private Bill certain things can be done which this Committee cannot do.

Mr. *Pope.*] You cannot say you have not had notice of this; you were before the Board of Trade.

Mr. *Soutter.*] In the Bill of 1858 an advantage was given to the company in return for the large expenditure they were going to make upon the Trent for the improvement of the river.

Chairman.] What the company in that case were going to do can have no bearing upon the question whether we have the power to deal with exemptions. Your contention is that this Committee have no power to deal with these exemptions.

Mr. *Soutter.*] Not with private exemptions; not with exemptions for the benefit of landowners. I admit they may have as regards the public question. I do not think they have jurisdiction to interfere with these private rights, and there is nothing in the Railway and Canal Act of 1888 under which the Committee is proceeding which indicates that the Committee would have power to deal with private rights. It was suggested by Mr. Pope yesterday that the Board of Trade had really altered these exemptions in the old Acts of Parliament. I do not think that is so as regards the Grantham Canal in which I am interested; I have nothing to do with the Nottingham Canal. The Grantham Act was very vague, and I think all that the Board of Trade have done is to define the parishes which are to have the benefit of this exemption. It might be contended that in regard to lime they have in terms altered the exemption because the clause runs as follows: "Nothing in this Schedule shall alter, vary, or affect any exemptions relating to the Grantham Canal in so far as such exemption relates to manure." Then come in the words, "other than lime." Under the old Act lime was to go for half toll; but if you look at Table A. below, the Board of Trade have practically reduced the toll upon lime by one half, or nearly so, and therefore those words, "other than lime" inserted in this clause, do not alter the exemption, they practically leave the exemption as it was before Table A. The charge for lime is to be half what was authorised by the Act of 1793, therefore it seems to me that the Board of Trade have practically left the exemption as it was, and we ask your Lordships to allow this exemption to continue and not to disturb the Schedule to the Bill. Mr. Pope has referted again to the precedent of the Leeds and Liverpool Canal. I think I have shown the Committee that that is precisely on all fours with the present case. Mr. Pope tried to draw a distinction between that case and this, because he said the Leeds and Liverpool Canal was made by the landowners at their own expense, he was not aware at the time that that is precisely the case here. This Grantham Canal was made by the landowners for their own benefit and advantage. I therefore hope the Committee will not disturb this exemption, and will allow it to remain for the benefit of his Grace and his Grace's tenants.

Mr. *Pope.*] In the few words which I shall think it necessary to say in reply, my principal object and aim will be to be quite sure that the question which is to be decided, is clearly before the Committee. If I understand the position of the Board of Trade it is this, that they have felt some delicacy in dealing with these questions of exemptions, preferring that they should be left entirely at large to the decision of a Committee of Parliament, which without discussing the matter for a single moment, has obviously absolute power to deal with them as it chooses, either to continue them or to modify them, or to destroy them altogether. I ask your Lordships to delete that clause dealing with exemptions from the Schedule for various reasons; but principally, because as a matter of principle the maintenance of such exemptions in such a Schedule, are contrary to modern legislation. I have been a little disappointed with the character of the discussion that my learned friend, Mr. Whitehead, has initiated. I thought we should have from a body representing the whole traders of the country, some reason given why in point of principle it is desirable in a Schedule which is intended to affect all classes of traders alike, some particular class of traders should be exempt from the operation of that Schedule altogether. I can understand if my learned friend had represented the Grantham Local Board or the Nottingham Corporation, or anybody who can take the benefit of that exemption, that he should come and say, do not deprive me of the priviledge I now have; but how be, as representing the whole body of the trade of the Kingdom, can support as a matter of legislative principle the creation of what I may call a protection of one particular class of trade at the expense of the rest, I cannot understand, because that is what these exemptions really amount to. Let me clear the ground a little bit before I say a few words which I must say upon that question. I agree to a certain extent with my learned friend. I do not think I ought to press upon this or any other Committee in dealing with these exemptions, too much the pecuniary interest of the railway company who happen to be the parties interested, because though, as in one moment I will point out, the ordinary common prejudice against railway companies is an exaggerated and unfounded one,

still it is perfectly obvious that any traffic which does not go by the canal, but which must be disposed of, must go by the railway, and be profitable to the railway company, and the 3,456*l.* which is lost on the canal, is undoubtedly, as Sir Henry Oakley admitted, to a certain extent recouped to the railway company by the profit they make upon traffic sent over their own line of railway.

But that railway companies are guilty of trying to force traffic upon their line is without foundation, as I think I shall be able to show you in a moment. Of course, in the first place, it is not the class of traffic they would desire to force upon their railway at all, they must take it if it is offered, but it is traffic of the lowest possible class, and the least remunerative class of traffic which we are dealing with upon these exemptions. But you must remember that when a canal is handed over to a railway company the only duty which the Legislature can cast upon the railway company is to maintain that canal in an efficient condition that it may be used by those who desire to use it for the purposes of their own traffic. Railway companies are carriers upon their own line of railway, they are not carriers upon the canal except in very few insaances, of which this is not one. They are exactly in the position which it has often been contended in old times railways were supposed to occupy, namely, that they were the owners of a line of way which might be used by anybody; and it has only been of recent development that railway companies, because it was found that the common user of railways by those who have traffic to convey becomes practically impossible, were authorised to be not only owners of their line but the carriers of the traffic in respect of which the charge had to be made; and that is the distinction between toll and rate. Railway companies being carriers charge rates; being canal owners they, as other canal owners, can only, unless they are carriers, charge tolls, that is the price at which somebody else who wants to convey traffic upon the canal may use their canal, and the only duty which it is important that Parliament should secure from us is this, that they do not refuse to maintain the highway for the use of other people in order to force the traffic to go by their railway which they do maintain. Let me illustrate it by an example. It will be in the recollection of some of the members of the Committee that there was a suggestion, I will not say who was right or wrong, that the Great Western Company in whom a canal in the West of England was vested, allowed the canal to be silted up so that the traffic should go by the railway. That is what Parliament is careful to prevent. They will force they railway company to maintain the waterway, but as to forcing traffic to go over the the canal excepting as regards the question of tolls or rates which may be chargeable, and which I will deal with presently, the railway company have no more power than anybody else. In this case we have faithfully performed our duty of maintaining the canal as an efficient waterway; nobody says to the contrary.

Now what is the proper method of dealing with the suggestion that the railway company may by charging prohibitory tolls prevent traffic from going over the efficient waterway and divert it to the railway? We will suppose for the sake of argument that that was the general character of railway management now. Probably 50 years ago it might fairly have been charged against many railways, but now-a-days with all the legislation that has taken place in Railway and Canal Traffic Acts, the Railway Commissioners and the rest, I venture to think no responsible railway manager is idiot enough to suppose he could carry it out if he wanted it. But what is the remedy? The remedy is, of course, to fix such a maximum power of charge as may be fair to the traders, and prevent such a thing being done. That is what the Board of Trade has done. I quite agree that if we were asking to leave the charging powers of 1792 untouched, we might, by availing ourselves of those powers, put a toll upon the canal which the traffic could not stand. But we are not. We are willing to accept that which the Board of Trade have found to be right after hearing the parties, and regarding all the interests equally; not any special interest, not railway interest only, but railway interest plus trade interest, plus agricultural landowners interest. We are willing to accept their Schedule of rates, and hereafter we shall not be able to put a larger toll upon anything which passes on the canal than that Schedule of rates authorises us to charge as fair and reasonable. So that my learned friends' talking about a bar toll and the preservation of exemptions is not the remedy for such action on the part of the railway company. The remedy is, fix your toll at such a point that the trade can stand it. It is the Schedule of tolls to which my learned friend should look for his remedy, not to the maintenance of the exemption, because the maintenance of the exemption does not apply to all traffic alike; the maintenance of the exemption gives a privilege to one class of traffic which it denies to the rest, and the inevitable result of the exemption is this, that instead of giving to all classes the remedy of an equal right to a reduction in the Schedule, you force the railway company, by depriving them of their revenue, in this case, upon 67 to 74 per cent. of the entire traffic upon the canal to put within its maximum such a charge upon the rest of the traffic as may reduce its loss to a minimum. Now that has not been the principle upon which Parliament has acted with regard to railways or with regard to any description of charge at all. What should be done should be to make what is done fair and equitable to all interests. If you exempt from payment altogether particular interests, you necessarily render the remainder of the traffic more burdensome to those who are not exempt.

Just another word, and then I will leave it with the Committee. I quite concede that there are cases in which such exemptions have been formerly purchased by the predecessors of those who now inherit them. They are in the nature of private bargains which ought not lightly to be disturbed. A very apt illustration is given by my learned friend Mr. Soutter himself in this Bill. Where it was intended that there should be a provision for the individual protection of the Duke of Rutland, the Clause named the Duke

Duke of Rutland. Those are personal contracts which were made at the time, which will not be, and ought not to be, disturbed, because we have had the consideration for them, and the bargain ought to be allowed to stand; and if in this case there were a trace of anything like a consideration removing from those enjoying the privilege to those creating it, I should say it ought not to be disturbed. Those are the classes of exemption which Parliament hesitates to disturb; but that is not this case. In this case there is no trace of anything like what is to be found in the case of the Leeds and Liverpool case, where the landowners gave their land in consideration that upon the canal manure for the use of the other lands which they might have in the same county or parish should be exempt from toll. There it could not righteously be disturbed, because you could not restore the land which was the price the predecessor of the present owner had paid for the privilege which had been granted to him in respect of that matter. But there is no trace of that here. This is a general exemption, as general as it can be, as Mr. Pelham pointed out just now, not merely confined to various parishes upon the borders of the canal; but as these exemptions of 1792 originally stood, you might have conveyed traffic along the Grantham Canal, and have conveyed the traffic which was exempt from toll from Grantham to Lincoln, or to any other place upon the face of the earth, if you chose. There was no limitation, and so manifest does that seem, that instead of being a private exemption, it was one of those pieces of ancient legislation which sought to create a benefit for a particular class and left the rest of the world to take care of itself under the onerous maximum powers allowed to the company. That is quite changed now. We are proposing to come under such a Schedule of maximum tolls as the Board of Trade thinks are fair and reasonable to the traders concerned. The whole question turns upon this: ought that which is fair to all traders to be rendered more burdensome upon some than upon others? Ought any class of traders to be exempt from the rates and tolls which are declared to be fair with regard to all? You will bear in mind we are discussing of course a very low description of traffic which would fall within the lowest classification, in respect of which only the lowest toll or rate could be charged; but excepting for those particular places and for that particular traffic the tolls are reduced all round. That is the principle for which I desire to contend; that the real modern principle of legislation in these matters is to make as far as possible rates and tolls equal to all traders; not to say that a man who deals in road stone shall have a privilege which a man who conveys coal shall not have. Of course if there were, as I have already said, any bargain with the original landowner that as a consideration manure should be conveyed to his property free, that is a private bargain and one which would be respected. We do respect all these private clauses relating to his Grace the Duke of Rutland, and they are not in the slightest degree interfered with. But there is not a word in that exemption, which is of the most general character, to say that it applies to any individual or that any individual, excepting the individual who for the moment was conveying the traffic, would be entitled to enforce it against anybody.

Let me point out to your Grace this further. You are not now discussing the circumstances of those who would have been entitled to the exemption in 1792. The people who come here and ask that they should have the user of this canal for nothing are the Corporation of Nottingham and the Local Board of Grantham, no doubt the Duke of Rutland, and more or less some of the tenants on the margin of the canal for the carriage of manure, but the question of principle affects mostly the Corporation of Nottingham, and where was the Corporation of Nottingham in 1792? Whoever dreamt in 1792 that the Corporation of Nottingham would in 1894 adopt the pail closet system of sewerage and want to get their manure away either by rail or canal in all directions round the town of Nottingham? The circumstances are quite different. So with regard to Grantham. Who would have supposed that the local board or the county council would be established that would be interested in the main roads with their antiquated exemptions not applicable to modern times? Therefore modern legislation ought to rule. Modern legislation abominates, I was going to say (and perhaps that is not too strong an expression to use in these radical days), exemptions and privileges, and inasmuch as the principle upon which railway schedules are founded, and ought to be founded, is that they should be equally applicable to all trades alike, we ask that these exemptions which would privilege some trades and not others should not be allowed.

Only one other word, and I will leave the matter with your Lordships. My learned friend has said a good deal about the reduction of the Schedule developing traffic. No doubt it would be the case if the circumstances of the Grantham Canal were that they formed the connecting link between two increasing parts of the country which could be largely developed; but you will remember that the Grantham Canal is, in fact, and must remain a purely local matter. It ends at the wharf at Grantham; it connects with nowhere else; no through traffic can possibly pass through the Grantham Canal beyond Grantham; and therefore no increase in the traffic is possible excepting just the local increase, which lies between the junction with the River Trent and Grantham. Therefore this is a special case. It is a case in which the hardship, such as it is, belongs to them. £.300 a year is not a great thing to the Great Northern Company. I should not say it was so, if the 300*l.* a year were certain to remain 300*l.* a year; but one does not know what may happen in the future. What I do say as a matter of principle is, that there ought to be no exemption, if you cannot get hold of that which is fair and right as a general principle. You have got it in the Schedule of the Board of Trade; and any exemption from that must be a departure from that which is right, and the adoption of a system of privilege which is contrary to modern ideas. Really and truly, my Lords, that is the whole question I have to ask you to discuss. No doubt the provision introduced by the Board of Trade considerably modifies the exemptions which were introduced

introduced into the Act of 1792; but they are as vicious in point of principle as the old exemptions were, though not as bad in their operation. What I submit is this, never mind the railway company, I agree that the effect upon them has very little to do with it. We have faithfully discharged our duty in maintaining this as an efficient waterway; it was our duty; anybody may use it who comes. If you are satisfied that the Board of Trade tolls as the price of this user are fair and reasonable, then the obligation of the railway companies comes to this: that we are to maintain that efficient waterway at such a price for the user of it as the Board of Trade and your Grace's Committee decide to be fair and reasonable. Now what more can be asked than that? We cannot divert traffic if we do charge fair and reasonable tolls. We are quite willing to be put under the obligation of fair and reasonable tolls. The truth is that the Act of 1792 was an ancient Act which was passed in times when they did not understand the modern relations of trading communities; when a great many economic and other fallacies were introduced into Acts of Parliament; but we have emancipated ourselves from all that; and let us deal with this question as with all others, according to the best spirit for the development of all interests, not regarding railway interests or trading interests specially, but looking at the whole question as a fair and reasonable solution of that which is not free from difficulty. Ought not whatever rates are fair and reasonable to be applicable to all traffic alike, making all contribute to the maintenance of that which they commonly use? What reason is there why Nottingham should have its manure conveyed away for nothing, or Grantham have its roadstone brought for nothing, when the neighbouring boroughs of Derby or Lincoln, or any other place, have not the same privileges? It is not a privilege which inures to the benefit of all alike; and it is upon that principle that I ask your Lordships to say that these exemptions should be entirely removed, always leaving to my learned friends, if they choose after that removal, to say that the rates suggested by the Board of Trade are too high. That is upon the responsibility of the schedule of tolls. If you have got a fair and reasonable schedule of tolls apply it to everybody alike, unless somebody has by some personal and individual contract derived an individual privilege which ought not to be interfered with. In that case I should say at once it ought to be restricted; but there is nothing of that kind whatever which can be seen in this case.

Chairman.] We should like to hear the Board of Trade as to what view they take.

Mr. *Pelham.*] I do not think the Board of Trade are prepared to offer any very decided opinion upon this question. It must be understood that the compromise, as it has been called, which has been proposed by the Board of Trade, is not an expression of opinion upon their part that the exemption ought to be retained by the Committee, but only this, that if it is retained it ought to be limited as proposed, and as is the rule in the case of other canals under their special Act. The Board of Trade feel that this is a question of principle which can be more properly dealt with by Parliament, it is not a question of detail to be worked out by the Board of Trade. These exemptions were imposed by Parliament; and, if removed, they should be removed by Parliament. Last year, it is true, these exemptions were retained. I do not think that they were very serious last year. I notice in the Leeds and Liverpool case, Mr. Moon made a speech suggesting that the exemptions should be repealed; no evidence was offered on either side, but the Chairman said to Sir Courtenay Boyle, "Did you go into this matter." Sir Courtenay Boyle said, "Yes; we had all the clauses taken out and printed; we examined into the effect of the clauses, and came to the conclusion, after very careful consideration, that the rights not only of the landowners, whose land it cuts through, but the rights relating to the land adjoining the canal should be preserved." Acting therefore on behalf of the Board of Trade, I felt that I was bound by that decision, and that there might be also a doubt whether under the Act of 1888 it was the proper thing for the Board of Trade, in any case, to propose that those exemptions should be repealed. I am bound to say that when I was hearing the case I did not feel very much sympathy with those who moved for the repeal of the exemption. The principal movers before me, not only in the case of these canals, but in the case of half-a-dozen canals all round Nottingham were the Mount Sorrel Company, who did not exist at the time of the passing of the Act; and also the Nottingham Corporation, who no doubt did exist at that time; but as Mr. Pope has said, they did not dispose of their sewage in that, or any other, way then. What I felt was this: that no consideration could possibly have been paid or given by those bodies for the exemption; and therefore in all these inquiries I declined to consider the retention of any exemption unless it was an existing exemption, and unless it was moved for by the person in whose favour the exemption actually existed; that is to say, the landowners or the parish through which the canal went. I took that line in that case and in all the other cases, and I felt that those were the people that the precedent of last year was intended to cover.

I should like to say as regards the stone that I do not think if the exemption be repealed the Highway Authority would necessarily pay 1*s.* or 1*s.* 3*d.* more for that stone, because it is probable that the exemption enabled the particular company to quote a lower rate than any other stone producers. The probability is that if the rate was put on the company might possibly not be able to send the stone, or if they did they would have to take a lower price for it.

As regards the manure, I think one is bound to remember that the exemption does not exsist at the present moment naturally and practically. The Committee have been told that by a mistake the Nottingham Corporation has never claimed it, and I do not think the Board of Trade would have saved that exemption if it had not been that the Duke of Rutland appeared on behalf of his exemption; and having regard to that fact the Board of Trade felt they were bound to preserve

preserve the exemption, and that the matter should be decided by Parliament. But the Board of Trade did feel that there were very grave objections to the system of general exemptions, though there was something to be said in favour of the parishes and the landowners through whose land the canal was made; but if there was a general exemption, as in this case, it might happen that granite might be taken through a system of canals toll free a long distance away from the granite works, and might be exported to foreign countries or taken to distant parts of the United Kingdom. In the same way it would be possible for manure works to be established upon the canal or near canals where there was an exemption, and for them to be able to receive the raw material and send it out as a manufactured article free over these canals. The Board of Trade did feel that that was a very grave objection, and therefore they limited it in the same way that it is limited in the case of most other canals to the landowners and parishes through which the canal was made.

Mr. Pope rather accused the Board of Trade of timidity. I take it that the Board of Trade is not generally guilty of timidity, and they were not guilty of timidity in this case; they were rather over bold, and a little inconsistent in touching the exemption at all; but they did feel that a grave injustice would be done unless it was limited to what evidently was the intention of the Act, that it should be in favour of the owners of the land through which it went.

Chairman.] (To Mr. *Pope.*) Do I understand you to contend that there are no such exemptions as those alluded to by Mr. Pelham? There are certain exemptions applyiug to the whole country; are there other exemptions applying to the Duke of Rutland and his tenants?

Mr. *Pope.*] My position is this; that unless something is given in the first instance in the Act of Parliament by those to whom the exemption will apply, it has not been usual for Parliament to preserve those exemptions; and in this case I ask your Lordship to strike out even the limited exemption which Mr. Pelham has mentioned in favour of the parishes along the canal; because there never has been on the part of anybody any consideration given for such an exemption, and it would be unjust to the other traders upon the canal that the simple conveyance through lands which have never given any consideration for it should inure as a privilege to them.

Mr. *Spicer* (to Mr. *Pelham*).] The Bill that is before us proposes certain exemptions, and also places before us certain cases of tolls; in drawing up those tolls have the Board of Trade had any regard to the exemptions that you were also going to recommend to this Committee?

Mr. *Pelham.*] I think not. I think that in the balance of the scale the scheme was a fair one for the companies to charge, and that it would not be affected very much by the question whether or not the exemptions were allowed.

Chairman.] Then do I gather from that, Mr. Pelham, that the opinion of the Board of Trade, and you, as representing the Board of Trade, is that if the exemptions were repealed and the parties were left under the tolls which you have inserted in the Bill, it would be fair to all parties?

Mr. *Pelham.*] Putting aside the question of the exemption, if the exemption was repealed by this Committee, the Board of Trade considers that the tolls, as proposed, are fair tolls. They do not think the loss would be sufficient to warrant them in raising the toll to a higher level, particularly as it would make somebody pay for somebody else.

Mr. *Spicer.*] Or to reduce them somewhat if the exemptions are allowed?

Mr. *Pelham.*] No, that is the standard scale of rates; there is nothing lower than that.

[The Committee deliberate.]

Chairman.] The Committee have decided to strike out the exemptions.

Mr. *Pope.*] Then I am satisfied with the Schedule. There were two small points we had raised, but they do not seem to be of sufficient importance to justify us in occupying your time in considering them. One was with reference to the bonus mileage for traffic passing between the Nottingham and the Grantham Canals; we proposed to ask for four miles, but we are satisfied with the two miles given by the Board of Trade; and the other was that we should be entitled to charge an extra sum for pumping when we were short of water upon the Nottingham Canal. I do not propose to insist upon that either. Therefore we accept the Schedule *simpliciter.*

Mr. *Soutter.*] Do I understand that the Committee adopt the modified exemptions brought up by the railway company?

Mr. *Pope.*] No, they are struck out altogether.

Chairman.] We allow the amendment of the Great Northern Company.

Mr. *Pope.*] Quite so. The decision of the Committee is perfectly plain, the paragraph in the Order which would continue in a modified form the exemption is struck out of the Order, so there are no exemptions in future.

Mr. *Soutter.*] I am not quite sure that I understand. As I understood, the Great Northern Company were willing to insert their modified exemptions.

Mr. *Pope.*] What do you mean?

Mr. *Soutter.*] If you look at the amendments at the bottom of page 3, you will see that the Great Northern Company propose to preserve some exemptions.

Mr. *Pope.*] Yes, you are quite right, the exemption will remain, "or affect any exemption provided for by Section 129 of the Act of 33 George III.," and so on to the end of the amendment.

Chairman.] You are alluding to the printed amendments in page 3.

Mr. *Pope.*] Yes, that amendment will go in.

Mr. *Pelham.*] We ask that there should be a

verbal amendment—after the words "Nothing in this Schedule shall alter vary or affect any exemption," there should be inserted the words "from tolls."

Mr. *Pope.*] By all means, we quite agree to that. Have any of the opponents any amendments to propose upon the Schedule; we have none.

Mr. *Whitehead.*] The first amendment I have to move is on page 7 of the Bill, line 36. I do not propose to move as regards this canal company the amendments which appear in the name of the Mansion House Association on page 2 of the collated amendments.

Mr. *Waghorn.*] We withdraw our amendments on this Schedule. We propose to raise the question as a subsequent Schedule.

Mr. *Whitehead.*] I pass on to the last amendment but one which appears on page 3, of the collated amendments which refers to page 7 of the Bill, lines 36 to 40; the amendment proposed is "omit Section iii." The Schedule as it stands gives to the company a power to charge as for two miles upon any traffic which passes between the Nottingeam and Grantham Canals. You will remember that between the end of the Nottingham Canal and the beginning of the Grantham Canal there is a short reach of the River Trent of about 270 yards.

Mr. *Pope.*] We were were asking for four miles for the same thing, but we are satisfied with two miles.

Mr. *Whitehead.*] What the Board of Trade have authorised the company to do this—in addition to the charge for tolls in respect of the mileage which the traffic will pass over, they give them two miles extra mileage gratuitously in respect of, all traffic from the Nottingham Canal on to the Grantham Canal, and from the Grantham Canal Canal on to the Nottingham Canal. The reason for that is this, when the traffic leaves the Nottingham Canal (to the take only one illustration) a lock of water goes out from the Nottingham Canal into the Trent and is lost. Similarly when the traffic enters the Grantham Canal a lock of water is let out of the Grantham Canal, and also goes into the Trent, and is lost to the company, and the principle upon which this charge is based is this, the company have to provide one extra lock of water in respect of that traffic more than they would have to provide in the case of the ordinary traffic that goes along a certain reach of the canal, such traffic only using one lock; therefore the contention is an extra charge should be allowed, and the method of charging is to impose two miles extra bonus mileage. Under the old Canal Acts of 1792 and 1793 there was what was called a bar-toll, that is to say, to take the case of the Nottingham Canal, all traffic entering the Nottingham Canal had to pay 2½*d.* a ton in respect of that loss of water, and there was a somewhat similar charge on the Grantham Canal. In substitution for this bar-toll the Board of Trade have granted this extra mileage, and the question I put before the Committee for them to decide is this: that owing to the circumstances of this canal, though it is perfectly true they do not lose these two locks of water instead of one, yet looking at the expense they are put to in respect to that water there is no justification for the extra charge. The bulk of the traffic passes along both of these canals, and the Committee will see that under the first section, which applies particularly to the Great Northern Company, Section 1 of these special sections, there is a certain minimum toll authorised in respect of each boat. That is authorised in order to protect the company from any actual loss upon the traffic. Whenever the traffic passes along the canal, or certainly in almost every instance it makes use of a lock of water. It may be that the load in a particular boat is a light load, and that the tolls consequently fixed in relation to the quantity of traffic would be small compared with the expense incurred by the company in providing a lock of water, and therefore the Schedule authorises the company to charge in such a case a minimum toll of five shillings.

Chairman.] Where is that?

Mr. *Pelham.*] In No. 1 sub-section of the special sections. The minimum is not an addition to anything else; it is only if the mileage toll does not come up to it. It is like the shilling minimum charge of a cab.

Mr. *Whitehead.*] Let me put it this way: though they do in fact at present provide a pilot, yet under the Schedule they will be under no obligation to do that, so that the fact is there is absolutely nothing at that point between the Nottingham Canal and the Grantham Canal to justify any additional toll unless it be that loss of water. It was upon that basis that the company argued before the Board of Trade, and that I think it will be conceded is the reason why this extra mileage has been given to them. Our contention is this: that that minimum toll for the loss of water provides an ample margin to recoup them for the extra loss of water they will incur on traffic passing from the Nottingham Canal to the Grantham Canal.

Mr. *Pope.*] What do you say will recoup them.

Mr. *Whitehead.*] The *5s.* minimum toll that protects them against any absolute loss upon any traffic. We say the water in the Nottingham Canal, certainly in the lower reaches of the canal, costs them practically nothing. You will hear in evidence that the water is provided not from any artificial sources, not from any reservoir, except in the upper part. The lower part of this canal is supplied entirely from natural sources. If you look at the cartoon, you will see a cut called the Beeston Cut, which receives water from the Trent, and then again running up to the north. There is a river called the River Lee. Those are two sources of water supply which the company get for nothing.

Mr. *Pope.*] No, they do not.

Mr. *Whitehead.*] The Trent is at a slightly higher level than the Beeston Cut, and all the barges that come along the Trent, and then come into the canal, bring with them a certain quantity of water.

Mr. *Pope.*] And the barge is charged less in consequence of bringing that water with it.

Mr. *Whitehead.*] There is a constant flow of water

water from the River Lee. It is a river of some size which flows into the canal, and provides water to the canal without any additional storeage or anything of the kind, and the result is that the water on these lower reaches which is lost when the traffic leaves Nottingham, does not, in fact, cost the company anything like 5*s*. Therefore, whenever a boat in the ordinary course passes through the canal and one lock-full is lost, inasmuch as you give power to the company to charge a minimum toll of 5*s*., you give them a very wide margin, which more than recoups them for any possible loss when they lose two locks-full of water. I have not the exact figures of the cost per lock-full to the company, but 5*s*. is considerably more than the actual cost, and if that is accepted on all sides as the minimum toll when one lock-full is lost, then they have something in hand that will enable them to meet the expenditure when two locks-full are lost. That is the point, and it all depends on the facts which the Committee will hear in evidence. I will call one witness, or perhaps two, who will explain the circumstances of the water supply, so that the Committee may have the whole facts before them.

MR. WILLIAM REGINALD CHESTER, is called in; and having been sworn, is Examined, as follows:

Mr. *Whitehead.*

516. YOU are gas manager and engineer to the Nottingham Corporation?—Yes.

517. It is the fact, is it not, that the Nottingham Corporation have got some wharves on the Nottingham Canal, near the junction of that canal with the River Trent?—Within three-quarters of a mile.

518. In particular, the wharves in which you are interested are the wharves attached to the gas department?—That is so.

519. You are familiar with the circumstances of the canal at that point?—I am.

520. Will you state to the Committee what are the sources of water supply in the lower reaches of the Nottingham Canal?—Before the second lock there flows into the pond——

521. Will you point out where the second lock is?—This is the second lock (*pointing it out*). Between here and there (*pointing out the place on the map*), there flows into the canal the River Lee. The River Lee brings a large volume of water down with it into the canal, and, in addition to that an almost unlimited supply of water can enter this reach of the canal (*pointing to the map*), through the locks at the Beeston Cut, which is on the Trent on the west side of Nottingham. The canal empties itself into the Trent on the east side of Nottingham. From those two sources, the River Lee and the Trent, there can be an almost unlimited supply of water for the last two locks without involving any cost to the Great Northern Company.

Mr. *Pope.*] You say "can be." Is there?

Mr. *Whitehead.*

522. What is the difference of level between the Trent and the Beeston Cut?—It varies with the height of the water, of course, in the Trent, but there is always a higher level in the Trent than exists in the canal, and at certain times there is a difference of as much as two or three feet between the Trent and the canal. So by opening the sluices of the canal any quantity of water can be obtained down the Beeston Cut into the last reach but one of the Nottingham Canal, so as to supply all the requirements of the last two locks.

523. Is not it the fact that there is water constantly coming from the Trent into the Beeston Cut?—That is so continuously.

524. Whenever a boat comes through it brings

Mr. *Whitehead*—continued.

water?—Whenever a boat comes through it brings water, and in addition to that, considerable volumes of water flow through the lock gates, which do not close sufficiently tight to prevent it.

525. All that water the Company get for nothing?—All that water the Company get for nothing.

526. Under those circumstances, if they charge 5*s*. as the minimum toll for the loss of a lock of water, they will be able to make a very substantial profit?—No doubt.

527. Do you think it reasonable that profit should be taken into consideration when you are considering the question of the bonus mileage?—I think the bonus mileage is unnecessary if you have the 5*s*. minimum toll for passing from one lock to the other. Practically only one lockful of water is used in passing from Grantham to Nottingham, and 5*s*. is ample to cover the cost of the water for one lock.

528. You say only one lock of water is lost; you mean one lock of water which costs something?—Yes.

529. And therefore, I take it, inasmuch as they only lose one lock which costs them anything, the minimum toll, which is fixed on the basis of a loss of one lock of water is sufficient to meet the requirements?—Yes.

530. Is there anything further you wish to explain to the Committee upon that point?—I think not.

Cross-examined by Mr. *Pope.*

531. Whom do you represent?—The Corporation of Notttingham.

532. Are the circumstances of the traffic of the Corporation of Nottingham the same as the circumstances of all the other traffic that comes over the canal and which would be subject to this charge, or is it because you have your wharves actually within the half-mile that you say the 5*s*. would apply to you?—The 5*s*. would apply to all traffic within these two reaches.

533. The minimum of 5*s*. would be applicable to the whole of the traffic; it is only the Nottingham Corporation traffic that you are speaking of, in reference to which you say the 5*s*. would compensate for the locking down into the Trent?—The whole traffic on the two lower reaches.

534. Let me ask you what it is you mean. You know we have voluntarily consented to

treat

Mr. *Pope*—continued.

treat the Nottingham Canal and the Grantham Canal as one canal joined together?—Yes.

535. If we did not consent to that, then we should be entitled to an initial distance on the Grantham Canal, should not we? If they were two separate undertakings instead of being treated as one continuous canal, by the Schedule we should be entitled to the initial distance on both?—Yes.

536. That we have voluntarily given up, to your advantage?—Establishing a minimum 5*s*.

537. That is what the minimum of 5*s*. provides for. Now you come and say we ought to let you down into the Trent, and lose the lock of water that takes you down, and take you up again to the Grantham Canal, and lose another lock of water without being paid for it?—The 5*s*. pays for that.

538. The 5*s*. compensates us for the loss of the initial distance?—The mileage rate compensates you for the other.

539. You know that where you are dealing with a summit level all Canal Schedules have a certain bonus mileage for the summit reach, because of the loss of water on both sides of it. You know that, do not you?—No.

540. Is this anything more than a summit level reversed, that instead of going up you go down to the Trent?—I suppose it is the same.

541. Is there any difference between the universal allowance of bonus mileage where the traffic goes across a summit and where it goes down to a lower level as in the case of the Trent?—I take it if the Great Northern Company have sufficient to cover the cost involved in the lockage without the bonus mileage there is no necessity for the bonus mileage.

542. It depends upon whether there is an additional cost to them which should be provided for?—Yes.

543. You think the bonus mileage of two miles an excessive allowance, if any ought to be allowed at all?—Yes.

543*. How much would you suggest that we should be allowed; suppose you are wrong about the 5*s*.; if a bonus mileage is to be allowed in this case as in the case of a summit level, do you think the two miles bonus is too much; suppose there is to be any bonus at all it is a very moderate bonus, is it not?—If it is not necessary it is excessive.

544. Suppose it is allowed, is not it a moderate charge; we were asking for four miles for the same thing; we have abandoned the four miles and accepted two; you know that?—Possibly that is so.

545. You say we ought to have nothing?—Yes.

Re-examined by Mr. *Whitheead.*

546. One question with regard to a summit pool; in the case of a summit pool at a very high level the canal company has to pump the water there?—If there is no gravitation, certainly; if there is no stream leading into it by gravitation.

Mr. *Whitehead*—continued.

547. In the case of the Leeds and Liverpool Canal, where a summit pool charge was allowed, they did have to pump?—I do not know that.

548. If that were so, in such a case they would lose two locks of water?—Yes.

549. In respect of which they would have incurred actual expense?—Yes.

550. Here you say the company only lose one o ck of water which costs them anything?—They only lose one lock of water, which their engineer gave in evidence before the Board of Trade inquiry, cost them 5*s*. 8*d*.

551. Therefore you say that inasmuch as they only lose one lock of water a certain minimum toll charge of 5*s*. will meet their requirements and save them from loss?—Quite so.

The Witness is directed to withdraw.

Mr. *Whitehead.*] That is the case for this amendment.

Mr. *Pope.*] I had better put our engineer into the box to tell you what it does cost. It may shorten the matter to ask Mr. Pelham what reason the Board of Trade had for putting in this bonus mileage.

Mr. *Pelham.*] The principle has been properly described by Mr. Pope, that is, a bonus mileage was allowed in the Leeds and Liverpool case, because a boat going through, instead of taking one lock of water took two locks of water. In this case it is the summit pool reversed, and the boat going through from the Nottingham Canal to the Grantham Canal, or *vice versâ*, loses two locks of water. The Board of Trade had in mind, as Mr. Pope had said, that the company conceded the point that the two canals, though they do not physically connect, should be treated as one canal, which is a very great advantage to the traders, because otherwise when they pass from one canal to the other, the initial distance, the higher toll for the first 10 miles would begin again. There is no doubt that is a very great concession, and also the same with regard to the minimum toll for boats. I am not quite sure whether the witness grasped the idea; he seemed to think that the bonus mileage charge would be an addition to the minimum toll per boat. If the traffic is a very light cargo, or goes a very short distance, if it goes through two locks it would pay 5*s*.; he did not take the bonus mileage into consideration. But it might possibly be that the bonus mileage might bring it up to 6*s*. or 7*s*.; whereas if there was only a mininimum toll for the boat it would stand at 5*s*. This bonus mileage was given for that reason, that the two canals were to b treated as one canal, which was a concession, the tolls given being the ordinary tolls that were fixed last year and that have been adopted in the case of most of the canals this year. All I ought to say, is that the Board of Trade did take into consideration the fact that the ordinary tolls would have been a considerable loss to the railway company.

MR. ARTHUR GRINLING is called in; and, having been sworn, is Examined, as follows:

Mr. *Pope.*

552. I DO not know whether you were in the background when the last gentleman was giving his evidence for the Nottingham Corporation, but you know our proposal that there shall be no bonus mileage in respect of this interchange between the two canals across the Trent?—Yes.

553. I daresay you know that we thought the allowance of two miles insufficient, and we were going to ask for four miles, but have withdrawn it. Why is a higher charge to be added in the Schedule?—On account of the great scarcity of water in both these canals.

554. Will you explain that?—So far as this lower part of the canal, is concerned, it is true that the water may come through the Breston cut, but that is only in times of flood. It is precisely in times of flood when we have sufficient water from the other sources that we get it; but when there is plenty of water there is only a difference of about 12 inches in head between the River Trent and the Beeston Cut. Therefore we only get 12 inches of water when a boat comes in; whereas in the lower lock coming into the Trent we have a fall of 8 feet 6 inches.

555. You lose 7 feet 6 inches of water?—Yes.

556. Is the River Leen a valuable supply to you?—In quantity, but at a very great price, because the River Leen brings in a very great amount of pollution and requires watching night and day by special men; therefore the cost is very great indeed.

557. You have to dredge the filth out that comes down?—We are constantly engaged in dredging.

558. It is not the fact that you get this water gratuitously?—It is anything but the fact.

559. And of course every boat that goes down to the Trent loses unless there is a bonus mileage, without paying for it, the extra lock of water?—It loses an extra lock of water.

560. What is your supply from the Grantham Canal?—Both these reservoirs have been empty for some time since last November, and the water in them is so pledged to other supplies that it is very little use to us. We only get the surplus water when everybody else has had their share; though they are apparently very large reservoirs we really get very little from them.

561. So that, in fact, your water is costly both to the Nottingham side of the Trent and to the Grantham side?—On both sides.

Cross-examined by Mr. *Whitehead.*

562. How much do you pay for water on the Grantham Canal?—I have estimated the value of that water to us as about 18*s.* a lock upon the cost of the reservoir.

563. That is not an answer to my question. I asked you how much you pay for it, not how much you estimate it is worth?—The cost is what it cost us to make the reservoir, and what it costs to maintain.

Mr. *Whitehead*—continued.

564. I understood you to answer my learned friend that you got hardly any water from the reservoir?—No; I was dealing with the scarcity of water. In flood-times we get plenty of water. We have a difficulty in those times in restraining the floods; but when we need water, as at the present time, other people have a prior claim on it, and we have great difficulty in getting it.

565. Either you provide water from the reservoir, or you do not. I understand yon provide very little?—No.

566. You changed you opinion upon that point?—We have great difficulty in providing water.

567. Do you pump it up?—No; it is a natural supply.

568. You do not pump it?—No.

569. What do you pay for any artificial supply of water upon the Grantham Canal?—Upon the Granthan Canal the reservoirs are artificial.

570. The water is supplied from a natural source?—Yes.

571. Now go to the Nottingham Canal. You said you get a very large supply of water from the River Leen?—Yes.

572. Have you made any estimate as regards the quantity; how many gallons or cubic feet do you get in the course of the year?—I cannot say.

573. Cannot you give a rough estimate?—No.

574. What is the size of the River Leen where it runs into the canal?—The invert is about 8 feet wide, the depth depends entirely upon the mills above; sometimes they shut the mills off and very little water comes down the Leen. Again we have no control over the water; though it happens to fall into the canal we have no control as to the quantity.

575. Is it not 15 feet wide there?—I do not think so.

576. I am told it is 15 feet; is that an extravagant estimate?—I should think so.

577. Would you say it is 10 or 12 feet?—I will pledge myself to this, that on the course of the Leen it may be spread out to 15 feet at the entrance; but the Leen is confined by a great many culverts in between.

578. What is its depth at the mouth of the River Leen or at the canal?—It entirely depends upon the mills working.

579. The water is used by the mills for their steam engines, and is discharged back into the River Leen?—Yes.

580. So that ultimately, whether used by the millowners or not, the water comes into the canal?—Yes.

581. You have got a reservoir there?—Yes.

582. So that you get some of your supplies from artificial sources?—Yes, and again at that reservoir we have great difficulty. We have a fourth right in that reservoir.

583. What is the cost of the water that you provide

Mr. *Whitehead*—continued.

provide by artificial means?—The cost of the Moorgreen Reservoir is 4*s.* 10*d.* to 5*s.*

584. Will you give the details of that?—The reservoir itself cost originally 18,926*l.*

585. The original cost was 18,926*l.*?—Yes.

586. When was it made?—In 1893.

587. Shall you write off anything for depreciation?—I have taken 33 per cent off, which I find to be what is paid in wages paid upon the canal between the two compaaies; that brings the cost of that reservoir to 12,658*l.*; and I have taken on that the interest that we are paying on the canal, 4⅛ per cent., plus the cost of maintenance; that brings the cost of the reservoir to us to 659*l.* per year.

588. Four and one-eighth per cent.?—Yes.

589. Is that what you pay upon the canal at the present time?—Yes.

590. That is rather a high rate of interest to charge; this is not upon tolls; this is a charge against the capital expenditure?—That is what we bought it at.

591. What does the Great Northern Company pay upon its debentures?—That would be better left to Sir Henry Oakley.

592. They pay 3 per cent. upon over 12,000,000*l.* of debentures, or something of that kind.

Mr. *Pope.*] No; that is not so.

Mr. *Whitehead.*

593. Instead of 4⅛ per cent., take it at 3 per cent.; what does 3 per cent. upon the sum work out at?—It would take 120*l.* off the estimate.

Chairman.] What do you propose; that the Great Northern Company should do what?

Mr. *Whitehead.*] I want the cost that each lock-full of water coming from the reservoir is to the company.

Chairman.] You get 4 per cent. upon his calculation, and you say it ought to be 3 per cent?

Mr. *Whitehead.*] I ask him to make the calculation at 3 per cent. instead. It is a question of argument as to whether it is 4 per cent.

Chairman.] Had not you better take the figures upon what they actually are? Yours is an imaginary figure of 3 per cent.

Mr. *Whitehead.*] I should submit that 3 per cent. is the proper charge to put against a capital charge of this kind. Over 4 per cent is extravagant.

Mr. *Pope.*] We pay 4 per cent. as a matter of fact, we are bound to pay it.

Witness.] It makes 522*l.* at 4⅛ per cent.

Mr. *Whitehead.*

594. And at 3 per cent about 400*l.*?—Yes.

595. What further charges are there?—Rent 70*l.*; rates 10*l.*; an attendant living in an adjoining cottage, not our own man, we pay 5*l.* to, for keeping watch over the reservoir; maintenance at 1*l.* a week, 52*l.* a year.

596. That is a total of 659*l.*?—Yes.

597. And if, on the other hand, the 3 per cent. estimate is the proper one, about 530*l.*?—Yes.

598. How many locks of water do you get out of the reservoir?—The average for the last three years has been 2,650 locks.

Mr. *Whitehead*—continued.

599. You say that other persons have a prior claim upon the water?—Yes.

600. How many locks-full do you give to them?—One thousand eight hundred and fifty.

601. So that the total number of locks-full that you got out of the reservoir was 4,500?—Yes, in round figures.

602. I think if we want to get at the cost that that water is to you we must divide the number of pounds you spend by the number of locks you receive?—Yes.

603. Will you do that for me, divide 659*l.* by 4,500; does it come out even upon your own estimate of 4⅛ per cent. at something less than 3*s.*?—Yes, it would be so.

604. And if the 3 per cent. basis is the right one, something like 2*s.* to 2*s.* 6*d.*?—Yes, but we do not get this water.

605. Your expenditure is for the purpose of supplying it; that expenditure is incurred in order to supply 4,500 locks full, that is so?—Yes.

606. I want to take what you supply, and put it into the expenditure which you incur?—Yes.

607. Upon that basis each lock full costs you either something between 2*s.* 6*d.* and 3*s.*, or something between 2*s.* and 2*s.* 6*d.*?—Yes.

608. In addition to that you have got the River Leen and the Beeston Cut, whatever they may be worth, and there are certain brooks running into the canal?—Yes, but the principal one is pledged in the same way; it was carefully gauged when the canal was made, and it was found to be running at the rate of two locks full a day; and we gave away two locks full a day from our upper pond for the supply; and further, just when we want the water at the present time that brook is running dry, and we have to pay away two locks full of water whether we get anything or not.

609. In addition you have six other feeders supplying natural water free of expense?—In flood time.

610. You have the River Leen and the Beeston Cut, for whatever they are worth, and seven feeders, and the water from the Moorgreen Reservoir, costing you between 2*s.* and 3*s.*?—Yes, with the nett result that the year before last, or twice within the last seven years, we have had the reservoir empty and have been in difficulties for water.

611. When that reservoir is empty is the canal stopped?—Yes, it was actually stopped for about three weeks in 1887; we had not sufficient water for the traffic.

612. At the present time what do you say?—At the present time the reservoir is full.

613. If the canal is stopped owing to the want of water that is an inconvenience to the traders?—Yes.

Re-examined by Mr. *Pope.*

614. I will not ask you to work arithmetic before the Committee; but have you carefully calculated, and did you give evidence before the Board of Trade as to what a lock of water at the Trent

Mr. *Pope*—continued.

Trent Lock would cost the canal company?—I did.

615. What did you give as the cost?—Five shillings and sixpence, I think.

616. From the Nottingham Canal?—Yes.

617. What did you calculate from the Grantham Canal?—I had not the figures for the Grantham Canal then, but I have since got the figures.

618. What is the result?—Eighteen shillings and a penny.

619. So that, in fact, you would lose either 5*s.* 6*d.* or 18*s.* 1*d.*; and it is to compensate you for that loss that the Board of Trade has given you the bonus mileage?—That is so.

620. Was the whole matter most carefully gone into, and the whole of these questions threshed out before the Board of Trade in order to ascertain what you would lose?—Yes, I was cross-examined upon the point.

Mr. *Richardson.*

621. You mentioned that the water you got out of the River Leen is full of pollution; what do you spend in getting the pollution out between the two locks?—An average of 450*l.* a year upon dredging and controlling the water.

622. In that small piece between the entrance of the River Leen and the Trent?—Yes, we are dredging continually at that point. We have a man at the Castle Lock night and day.

The Witness is directed to withdraw.

Mr. *Pope.*] I do not call any other evidence, and I do not know that I have much to say excepting that this matter was carefully investigated by the Board of Trade, and they fixed the two miles bonus which we thought insufficient at the time, but we were willing to accept it in consideration of the cost we should be put to in locking down and up into the Trent. It is rather ungracious upon the part of the traders that, having induced us to consider the two canals as one, and having accepted the initial distance, they should now come and try to cut us down.

Mr. *Whitehead.*] Your Grace remembers the evidence you heard for the company. It is perfectly true that figures somewhat similar to these were placed before the Board of Trade on a former occasion, and it was upon the basis of those figures that they allowed 5*s.* On the representation that the company lost 5*s.* 8*d.* worth of water every time the lock went into the River Trent. After hearing the evidence there is no Member of the Committee, who can be of opinion that the water costs 5*s.* 8*d.*. They have got natural water to a certain extent, either one foot in depth or two feet in depth, according to the circumstances of the water coming in at the Beeston Cut for nothing; they have seven brooks, sometimes bringing in a large quantity and sometimes bringing in a smaller quantity. They get that water for nothing. They have water coming from the Moorgreen Reservoir, and whether you take it upon this gentleman's estimate of 4⅛ per cent., or take it upon my figure of 3 per cent., that water from the artificial source costs them something between 2*s.* and 3*s.* In addition you have the water coming in in large quantities, Mr. Grinling said, from the River Leen. It is true that over that they spent 450*l.* a year, but he was unable to estimate, and that was the reason I asked the question; the quantity of water that came through. I should have been glad to have known how many locksfull, or what quantity came through from the River Leen, so as to estimate what expense the company are put to in respect of that particular quantity of water; but no such figure has been placed before the Committee by the company. Seeing that the artificial water costs them between 2*s.* and 3*s.*, that in addition they get a large supply of natural water costing them nothing, I ask the Committee to consider that when you allow them 5*s.* as the minimum toll whenever they lose one lockful of water, that that charge of 5*s.* amply compensates them and covers all cases where they lose locks of water. It is perfectly true that in this particular case in respect of which bonus mileage rate is allowed, they lose two locks, but you must take that in with the other questions, and I think 2*s.* 6*d.* would be a reasonable charge, but they have got 5*s.*, taking it in with the bonus mileage, and I say that no bonus mileage should be allowed. They have got their benefit in one case, and they are compensated in the other; and I ask the Committee to strike out the bonus mileage, which is contrary to the true principles of this legislation, which is that you shall have a similar mileage charge upon a continuous route.

The Committee deliberate.

Chairman.] We have decided to omit Section 3.

Mr. *Whitehead.*] The next Amendment would have fallen to my lot. I have been talking to Mr. Pelham about it, and he thinks it better to postpone it on to a later Schedule; as there is a possibility of an arrangement being come to between the parties, it will be better to postpone it as it may avoid a long discussion.

Mr. *Pelham.*] It is a question that was not brought before me when I settled the order; it is saving a certain charge through the Beeston Cut. I understand the company are willing to concede that.

Chairman.] If they are likely to come together we will postpone it.

Mr. *Whitehead.*] There are no other amendments except one standing in the name of the Trent Navigation Company on page 4 of the collated amendments.

Mr. *Pope.*] Do you represent them?

Mr. *Whitehead.*] No. I do not appear for them.

Chairman.] If nobody appears we cannot go into it.

Mr. *Pope.*] That concludes the Schedule.

Chairman.] The Schedule is passed.

Mr. *Pelham.*] That concludes the Schedule of special sections of the special case applicable to the Great Northern Canals. There is no discussion about the third canal belonging to the Great Northern Company.

FOSSDYKE NAVIGATION.

Mr. *Pelham.*] The next Schedule on Special Clauses that you have to do with is the Fossdyke Navigation belonging to the Joint Committee of the Great Northern Railway Company and the Great Eastern Railway Company, upon page 9.

Mr. *Colville.*] I appear for the Great Northern and Great Eastern Railway Companies.

Chairman.] What amendment do you now speak to?

Mr. *Colville.*] I am for the companies; we have no amendments at all.

Mr. *Pelham.*] There are no amendments, your Grace, to that Schedule.

Chairman.] We pass that Schedule.

CANALS OF THE GREAT WESTERN RAILWAY COMPANY.

Mr. *Pelham.*] THE next is the canals of the Great Western Railway Company on page 10. "Special sections applicable only to the canals of the Great Western Railway Company," and the section on that page applies to all the canals or a large number belonging to the same company. I think it would be most convenient if you were to take the different tables, and at the same time, take the minimum toll per boat, which is a matter which is closely connected with the amount of tolls.

Mr. *Moon.*] I do not think there is any amendment as to the minimum charge per boat as regards the Great Western Canals.

Mr. *Pelham.*] I understand the only amendments are those relating to the Kennet and Avon Canal, and the tables relating to it will be found upon page 12. The second table is "Applicable only to the Kennet and Avon Canal and the Rivers Kennet and Avon belonging to the Great Western Railway Company." The only amendments to that on the paper are the last two, "page 12, line 34, leave out ·060*d.*" and substitute "0·50*d.*," that is for Class C.

Mr. *Whitehead.*] The first two amendments are those which we wish to withdraw, and if your Grace follows it down, the only important amendments which will come before the Committee will be the last one, and the last but one on page 12, line 34, to leave out "0·60*d.*," and substitute "·50*d.*," and on page 12 to put in a separate proviso.

Chairman.] What do you do with the two previous ones?

Mr. *Whitehead.*] Those two are consequential upon the two first. I can release the Committee of the first two amendments and the last two for this reason, that the first one proposing to substitute 0·50*d.* for 0·60*d.* applies to Class C. traffic. There Class C. traffic covers a wider area than the following amendment which relates to the same kind of traffic passing beiween two particular points. My clients have decided that they will not occupy the time of the Committee by considering the circumstances of the whole canal, and have confined their attention to a particular portion, viz., the portion upon which the traffic does in reality and in substance pass. I would therefore ask the Committee to accept the second amendment, page 12, at the foot of Scale 4, to add "Provided that, notwithstanding anything in the above table, the maximum toll for Class C. traffic conveyed between Hanham Lock and Bath shall not exceed one halfpenny per ton per mile," the same toll as we propose to substitute for the whole Class C. under the preceding amendment. The circumstances are these. There is no dispute now as to what the maximum toll should be. The Great Western Railway Company do not propose any amendment to the tolls put forward by the Board of Trade, nor is any amendment suggested by the traders in respect of Classes A. and B., or Classes 1 to 5; so that the whole question is the question of the toll upon Class C. traffic.

Mr. *Moon.*] The Great Western Railway Company for whom I appear have a petition against alterations; and therefore we have put no amendments in. We have accepted the decision of the Board of Trade, but if my learned friend gets an amendment adopted by the Committee, altering the effect of the Schedule of the Board of Trade, then we might have to ask to have a consequential amendment introduced for our purposes.

Mr. *Whitehead.*] The circumstances are these. Originally the tolls fixed upon this canal were very high, and about 40 or 50 years ago the canal came under the control of a railway company, and ultimately into the hands of the Great Western Railway Company. At that time the Act of 1832 authorising that transfer from the original canal company, there was a provision inserted in the Act, by which the railway company were prevented from so adjusting their railway rates as to divert traffic from the canal on to the railway. Parliament foresaw that difficulty, and expressly gave to the traders the right of appeal to the Board of Trade in the event of any toll being fixed upon the canal which was unfair or unjust, having relation to the rates which were being charged for similar merchandise upon the railway. In consequence of the existence of that clause, of course the railway company had to consider the tolls of the canal very carefully, but they were bound to work great hardship upon the carriers, who carried grain, corn, and timber, and other articles upon the canal; the result was that in the year 1868 an application was made to the Board of Trade, or what is now known as the Board of Trade, by the traders in this

this district asking that the tolls then in force by the railway company upon the canal should be reduced, looking to the fact that there were certain rates in existence upon the railway which were complicated rates, and seemed to the traders unfair, having regard to the fact that the canal and the railway were in the possession of the same company. That was heard by the Board of Trade, and they made certain alterations in the maximum tolls to be charged upon the canal in favour of the traders. The actual details of those alterations are not material now for this reason: that as time went on circumstances changed upon the railway, and it was still found that even these modified tolls worked adversely towards the carriers on the canal, and were, in spite of there being below the original tolls, much too high too enable the traffic profitably to pass. Thereupon another appeal was made, this time not to the Board of Trade, but to the Railway Commissioners, to whom the jurisdiction had been assigned by a later Act of Parliament. It happened in the year 1877 that application was made by a firm of traders at the Bath end of the canal to have these tolls on certain articles, corn, grain, and timber, in particular, altered, and made to harmonize more justly and fairly with the rates charged by the railway company. That came before the Railway Commissioners, and they fixed for the future certain tolls upon these specified articles lower than the tolls fixed in 1867. Those tolls of 1877, the Railway Commissioners tolls, are the tolls which at the present moment form the maximum powers of the company upon the articles specified in the Commissioner's Order. The effect of the amendment and the design of the amendment is this: that in respect of those articles which come in Class C., the class referred to in the amendment, the railway company should not acquire any higher maximum powers than they have at the present time. The Commissioner's Order appointed ½*d.* a ton a mile as a maximum on these articles, and it further went on to say that in no case should the charge whatever the distance the traffic traversed exceed 2*s.* This amendment, as you will see, asks that notwithstanding the tolls fixed in the Act, the maximum toll for Class C., in which grain and timber and corn are comprised, when conveyed between Hanham Lock and Bath, which are the points on the canal this traffic does in fact pass at the present time, should not exceed that ½*d.* a ton a mile fixed by the Railway Commissioners. The distance between those two points is only about 11 miles, and therefore there is no reason to ask the Committee to confirm what was done by the Commissioners in fixing a future maximum of 2*s.*, because such a maximum would never come in force with so short a distance and a toll of ½*d.* a ton. I am bound to point out to the Committee this: that any form of amendment, inasmuch as it refers to Class C. generally, and not to the specified answers mentioned in the Commissioners' Order, does in form enlarge the scope of the Commissioners' Order, but in substance it comes to pretty much the same thing, because the articles which are carried are grain, timber, and flour. The witness whom I shall call call before the Committee is interested chiefly in the grain traffic, and it is upon that traffic which represents a very large proportion of the traffic upon the canal that the traders desire to preserve the result of their application to the Commissioners. In 1877 the Commissioners, after a very exhaustive inquiry, and as they are empowered to do and are able to do, and have the machinery for looking into the details of all traffic relating to these articles, came to the conclusion that, looking to the existence of the Great Western Railway Company close by this canal in constant competition, a ½*d.* a ton a mile was a reasonable charge to fix.

Chairman.] You say the Commissioners came to that conclusion; did they give it in their judgment?

Mr. *Whitehead.*] Yes, your Grace, it is reported in one of the volumes of the reports. The Section of the Act of 1852 directed in effect that the tolls on canals should so be adjusted in relation to railway rates, that they were fair and reasonable. It was under that section that the traders made that application; and in consequence of that section, and acting under the powers conferred by that section, the Board of Trade reduced the tolls to halfpenny a ton a mile. Your Grace that is the point, and I think I need not enlarge upon it. We simply desire to preserve the result of our application to the Railway Commissioners, an application made in 1877, when the whole thing was thoroughly threshed out and examined as to all the details of the traffic. But it would not be fair to leave it in that way, and I will call a witness dealing in corn and grain between the the two points and in other articles in Class C., and he will be able to explain to you the importance of preserving this rate in regard to this particular traffic; and that may be taken as typical of the traffic passing between these two points. I believe he is interested more largely than almost anyone else in this traffic, and if our proposal is conceded, it would be merely a preservation of the rights conferred upon him and his firm by the Railway Commissioners.

Chairman.] You contend that there should be no extra charge on the initial distance of 10 miles?

Mr. *Whitehead.*] Yes. For 20 miles it should go for 0·50*d.*

Mr. *Pelham.*] What is the distance?

Mr. *Whitehead.*] The distance is between 11 and 12 miles. The amendment that I put before the Committee relates to Class C. traffic, conveyed between Hanham Lock and Bath; those two points are distant from one another by 11 miles; so that practically it is a question of a penny per ton upon that distance upon all traffic in that class passing between those two points. The details of that traffic will be explained by Mr. Butcher more clearly than I can, so I will call him at once.

Mr. *Moon.*] Perhaps we may shorten the matter. I understand that my learned friend is only applying to have the 0·50*d.* instead of 0·60*d.* in relation to the particular articles mentioned by the Commissioners; if my learned friend would also consent to have the Commissioners' judgment apply to those articles *in extenso*, I do not think

think there would be much between us; because the Commissioners' judgment was this: that the charge for these articles should be 0·50*d.* per ton per mile, and that that 0·50*d.* per ton per mile should go on over any distance until the limit of 2*s.* was arrived at, which was 48 miles, which is practically more than any of this traffic travels. If my learned friend is content to take the Railway Commissioners' figure of 0·50*d.* not only for the initial distance but for all the other distances in the Schedule, I do not think there would be anything between us. As it stands the Provisional Order proposes to increase the figure over the Railway Commissioners' figure for the first 10 miles, 0·60*d.* instead of 0·50*d.*, to retain that 0·50*d.* for the next 10 miles, but upon the third 10 miles to reduce it to 0·30*d.*, which is considerably below the figure put by the Commissioners, and in the next instance 0·15*d.* I do not know whether my learned friend will accept the Railway Commissioners' decision *in toto*.

Mr. *Whitehead.*] I am very anxious to meet my learned friend and to save the time of the Committee, and if my learned friend will state how much traffic upon these articles passes distances of more than 20 miles it would enable us to see what any difference between us really is.

Mr. *Pelham.*] May I give certain figures? I understand in the year 1890 the company received for grain 811*l.* 12*s.* 6*d.*; under the proposed Schedule the company will receive 826*l.*, which is only an increase of 12*l.*, the fact being that whereas we give rather a higher toll for the initial distance we reduce it, as has been explained by Mr. Moon, in order to fit in with the general scheme of the Board of Trade.

Mr. *Whitehead.*] I must call my witness in order to explain in detail how it affects the traffic.

Chairman.] Are you going to agree with Mr. Moon?

Mr. *Whitehead.*] I cannot accept what he proposes; it will be contrary to the whole principle of the Schedule as regards graduation.

Mr. WILLIAM BUTCHER, is called in; and, having been sworn, is examined as follows:

Mr. *Whitehead.*

623. WILL you explain to the Committee where Harham Lock is upon the map?—Yes, it is 11 miles from Bath.

624. Let me explain who you are. You are one of the Liquidators of Messrs. Garrish and Company, Limited?—Yes.

625. They were canal carriers at Bath?—Yes.

626. They are now in liquidation, and you are one of the liquidators?—Yes, I am.

627. Are you also secretary to the Kennet and Avon, and Branch Canals Traders' Association?—I am.

628. Where does the larger portion of your traffic go along the canal?—Between Bristol and Bath.

629. Bristol is off the cartoon before you?—Yes, six miles further on.

630. It comes up the Avon from Bristol?—Yes, what they call the Feeder Lock.

631. And you enter the navigation of this company at Hantran Lock which is marked upon the map?—Yes.

632. Then it goes along up as far as Bath, and is delivered there?—Yes.

633. Is it a river or is it a canal?—A natural river.

634. It is not a specially constructed canal of any sort?—No, except the locks.

635. I believe that Messrs. Garrish and Company were the applicants in that case which came before the Commissioners in 1877?—Yes.

636. There were several applicants, but they were amongst them?—I had nothing to do with them at that time.

637. At that time Messrs. Garrish and Company were a flourishing company?—Yes, I think they were, but at that time I had nothing to do with them.

638. Now you are the liquidator?—Yes.

Mr. *Whitehead*—continued.

639. What were the reductions which the Commissioners' Order referred to?—I do not know, I am sure; chiefly the articles now proposed to be transferred into Class C.

640. We may take it from you that it included grain?—Grain stuffs.

641. Corn of every kind, and grain stuffs?—Yes, chiefly heavy goods.

642. What was the charge fixed by the Commissioners' Order?—A halfpenny a ton a mile.

643. And upon 11 miles it would be 5½*d.* a ton?—Yes.

Chairman.

644. That halfpenny a ton a mile was from where to where?—From Hanham Lock to Bath.

Mr. *Whitehead.*

645. That halfpenny a ton a mile applied to traffic, whatever its distance might be on the canal?—Yes.

646. If it passed from Hanham up to Reading it was still a halfpenny a ton a mile, subject to the 2*s.* maximum?—Yes.

647. The Commissioners' Order was not confined to the particular piece of the canal that we are now discussing?—No.

648. What is the volume of your traffic which would be affected by the new tolls?—In grain stuffs we do not keep them separate; but I took out before Mr. Pelham's inquiry the weights for the four months in grain and grain stuffs between Hanham and Bath; it amounted to over 6,000 tons; that is a very great increase upon the figures that the Great Western Company have put in, because their figures are for 1890; this is for 1893. I think the reason is this; that before 1893 we charged more than the railway company did for bringing grain up to Bath. In taking

Mr. *Whitehead*—continued.

taking 1893 we put it at their rates, and our rates, I believe, are the same as theirs, but it is put very fair indeed.

Chairman.

649. Your rates, upon the whole, are the same as theirs?—Yes.

650. It being what?—Two and sevenpence a ton, and we pay tolls out of that.

Mr. *Whitehead.*

651. You are in competition with the railway?—Yes.

652. We will deal with that in a moment, but you say your traffic in four months was 6,000 tons?—Yes, in grain stuff alone.

653. Can you give the Committee any estimate or approximate average of your traffic?—I take it that as the average.

654. That would be 18,000 tons a year?—Yes, and there were other articles.

655. Could you put it at more than that?—There were other articles that would be affected, but that is the particular item. It would affect bag manures and sulphate of ammonia.

656. You say there are other articles in this class, artificial manures and sulphate of ammonia, which would be affected by these tolls?—Yes.

657. Those are articles that you deal in, but those are not articles which are dealt with by the Commissioners' Order?—No, I believe not.

658. Therefore you confine your evidence chiefly to those grain stuffs, which were dealt with by the Commissioner's Order?—Yes.

659. What would be the toll chargeable under the Board of Trade proposals per ton for that distance?—Sixpence halfpenny.

660. Sixpence halfpenny instead of fivepence halfpenny?—Yes, an increase of 1*d.* per ton.

661. What is that on the traffic of the year?—On the grain stuff it would be about 75*l.*

662. Suppose that that toll were put into force, would you send 18,000 tons of grain over the canal?—I suppose so; we should have to send it at a loss, and that would practically cut us out.

663. Now, coming to the question referred to a moment ago by his Grace, I suppose between those points of Hanham and Bath you are in competition with the railway?—With two railways.

664. How would that additional 1*d.* a ton upon all that traffic affect the competition between you and the railways?—We should have to pay it out of our pockets if we continued to carry the stuff.

665. It is possible that you might find that you could not carry it very well, and it would no longer pass along the canal but would go on the railway?—We could not carry it to cover our expenses. We scarcely do that now. We reduced our rates because we were rather short of work for our plant.

666. Have you any experience of the effect of competition between yourselves and the railway in the way of depriving you of the carriage of goods?—At Devizes they have done it by reducing their rates.

667. What distance is Devizes from Hanham?—It is 33 miles from Hanham by the canal.

668. Have you lost much traffic in consequence of their reducing their rates?—We had considerable grain traffic, but now they have taken it.

669. Would this reduction of tolls to longer distances under the Board of Trade Schedule enable you to recover that grain traffic?—It would assist us.

670. Would you be able to do it, having regard to the existing railway rate?—It is doubtful.

Chairman.

671. As at present?—According to what the railway rates are at present, the railway company reduced their rates from 7*s.* to 4*s.* 11*d.* between Bristol and Devizes, and that stopped our grain traffic to a very great extent.

Mr. *Whitehead.*

672. How much do you pay to the Great Western for tolls upon the canal in the course of a year?—About 1,500*l.*

673. What proportion does that bear to the total revenue from the canal?—About one-fourth.

674. One-fourth of the total revenue?—Yes, they give their revenue at about 6,000*l.*

675. That revenue would include other things besides tolls?—I suppose so.

676. So it is a larger proportion than one-fourth of the tolls?—Yes.

Chairman.

677. The public gain by that reduction on the railway?—Yes, certainly.

Mr. *Whitehead.*

678. Have you worked out the figures in the Board of Trade Schedule to find at what point it is that the increase in the short distance traffic ceases to be an increase and becomes a decrease; at what mileage distance?—About 25 miles, I think.

679. At 25 miles the tolls proposed by the Board of Trade would be exactly the same as tolls given by the Railway Commissioners?—Yes.

680. For all distances below 25 miles the Board of Trade Schedule would give an increase?—Yes.

681. For distances beyond that it would give a slight decrease?—Yes.

682. Till you come to the limit of 2*s.*?—Yes.

683. Then there would be an increase again?—Yes.

684, What distance does the bulk of the traffic go?—The bulk of our traffic only goes to Bath; nearly three-fourths of it; that would be 11 miles.

685. Are you aware that something like four-fifths of the traffic on this canal goes less than 15 miles?—I take it that is so.

Chairman.] You are rather leading him.

Mr. *Moon.*

686. How much of it is coal?—We do not carry coal.

687. No

Chairman.

687. No coal goes on your canal?—Yes, coal goes on it · but we do not carry coal.

688. How much coal goes between Hanham and Oxford?—I do not know.

Mr. *Whitehead.*

689. Coal is in Class A.?—Yes.

690. You are not asking the Committee to deal with Class A.?—No.

691. It is only upon the special articles dealt with by the Commissioner's Order t at you desire your privileges to be preserved?—That is so.

Chairman.] You say those "special articles." Your amendment applies to all the articles in Class C., not merely to grain?

Mr. *Whitehead.*] I am aware of that difficulty. I know the amendment asks for more than this gentleman requires.

Chairman.] It says, "Provided that notwithstanding anything in the above Table, the maximum toll for Class C. traffic conveyed between Hanham Lock and Bath shall not exceed ½*d.* per ton per mile." The articles in Class C cover 4½ pages, all of which would be affected by this amendment.

Mr. *Pelham.*] As a matter of fact, the principle articles comprised in Class C. are grain and timber.

Mr. *Whitehead.*

692. I mentioned to your Grace, in opening, that practically the important articles are the articles we have mentioned to you, which are comprised in Class C., but I will put it this way. (To the *Witness.*) Would you be content, if the Committee thought fit, to limit the form of your amendment in this way: "Provided, that notwithstanding anything in the above Table, the maximum toll for grain and timber conveyed between Hanham Lock and Bath shall not exceed ½*d.* per ton per mile"?—Grain and grain stuffs.

693. That, for grain and grain stuffs, flour and timber, conveyed between those two points, the toll shall not exceed a halfpenny?—Yes.

Chairman.

694. Do you carry timber?—Some.

695. Much?—Not much compared with the grain, but we do carry a good deal; we carry about 34,000 or 35,000 tons of goods a year altogether.

Mr. *Whitehead.*

696. If it were limited in that way to grain, flour, and timber, that would meet the case you are putting betore the Committee?—Yes, it would to a great extent; not entirely.

697. That is, in substance, the important thing you are asking for?—That would relieve us in part, but not altogether. At present we have really been working at a loss. It would relieve us in part.

Chairman.] Will you put the question again?

Mr. *Whitehead.*

698. The Commissioners' order dealt with certain articles in which you are interested; amongst others, flour, grain, and timber?—Yes.

Mr. *Whitehead*—continued.

699. Those articles represent the important articles in which you deal on the canal?—Yes.

700. Suppose the Committee, after hearing what you have got to say, considered that your amendment asked for more than your evidence justified you in asking, and the Committee were to say that your amendment should be limited to those articles of which you are speaking, namely, grain, flour, and timber—— ?—We could give evidence with regard to the others, if necessary.

701. Suppose the Committee adopted that view, would that meet to a very large extent, if not entirely, the case you are putting before the Committee?—Yes.

Cross-Examined by Mr. *Moon.*

702. Do you want to preserve the Railway Commissioners' Order?—With respect to what?

703. Do you or not wish to preserve the Railway Commissioners' Orders as regards grain stuff?—The Order of 1877?

704. The Order of 1877?—With regard to traffic between Bristol and Bath we do.

705. You do not want to preserve the Order altogether?—No? we have not asked for that.

706. You are not content to take the Railway Commissioners' Order against what the Provisional Order suggests?—No.

707. That is, you want a betterment upon the Railway Commissioners' Order?—Yes.

708. Why? because it happens to suit Messrs. Gerrish?—No, because we have been working at a loss for a long time and paying more than we can afford.

709. Do you know that on the canals all over the Kingdom the toll for grain and for articles in Class C. is ·75 for the initial distance?—No, I do not know that.

710. If that is so, the ·60 which the Board of Trade propose for you is much lower than the toll granted to the other canal companies?—That may be, but the difficulties of the navigation here are great.

711. You seem to be able to carry 6,000 tons of grain to Bath?—Yes.

712. What are the difficulties of the navigation compared with the difficulties of other navigations?—A strong current in winter and a lack of water in summer; you have to put extra power on, and it costs a great deal more in the repair of the boats.

713. That is not the fault of the company?—We think it is, to some extent.

714. The company have to maintain the canal?—We do not think they dredge it as they ought.

715. Do you know that you can go to the Railway Commissioners or the Board of Trade (I think it is the Board of Trade), and if it is not maintained satisfactorily the railway company can be compelled to maintain it?—We went before the Board of Trade, and it cost us about 1,000*l.*

716. It was Colonel Rich who inspected the canal on that occasion?—Yes.

717. What did Colonel Rich say?—He said it wanted improvement in a good many places.

718. And

Mr. *Moon*—continued.

718. And it was done?—No, I think not; not effectively.

719. When was that?—Before I had to do with it.

720. Do you know that no steps have been taken to enforce any further fulfilment of what Colonel Rich recommended?—Because it would cost so much money, and we thought perhaps we would get relief now with regard to tolls.

Chairman.

721. That would not improve the navigation?—But it would diminish the cost of carrying.

Mr. *Moon.*

722. You have said what the difficulties of the navigation are, a strong stream in the winter and a lack of water in the summer?—Yes.

723. Those are difficulties which are incident to any navigation, not to a canal navigation where there is no current, but they are incident to every navigation where you use a river?—Not to the same extent, I should think.

724. The Board of Trade proposal does give you an advantage on some of your traffic, does not it?—Yes, on some, but the quantity of those goods that we carry is so comparrtively small that the advantage is small.

725. What four months were they during which you carried 6,000 tons?—I think March, April, May, and June.

726. Are those months which represent the normal grain traffic, or does the grain traffic pass in greater quantities at that time?—We would think that the traffic carried in those months would represent the normal traffic last year.

727. What was your total last year?—I do not know. Those figures were got out when we were before the Board of Trade. I have not got them out since.

728. Those four months would be when there is plenty of water, when one would suppose you would be sending most of your traffic?—There was not plenty of water in May and June last year, there was in March and April.

729. You take up your grain to millers?—Yes.

730. Are they coming to say they have to pay more for their grain than they ought to do because of the proposal of the Board of Trade?—No; if we raised the rates to them they would simply turn the traffic on to the railways.

731. You told me that you had just reduced your rates?—Yes, but if we get increased tolls we shall have to increase our rates or lose the money.

732. What were they before you reduced them in January 1893?—Two shillings and ninepence.

733. What did you reduce them to?—Two shillings and sevenpence.

734. Do you know whether the railway rate to Bath remained the same after January 1893, or whether it was raised?—It was raised 1*d.*

735. So though before 1893 you had been carrying your grain to Bath at 2*s.* 9*d.*, as against the railway carrying at 2*s.* 6*d.*, you say that now you cannot carry grain to Bath at less than 2*s.* 6*d.*, as against the railway 2*s.* 7*d.*?—Yes, but we advanced to 2*s.* 9*d.* because we could not make it pay at 2*s.* 6*d.*, and then we could not get traffic between Bristol and Bath.

736. When did you advance to 2*s.* 9*d.*?—It was before I had to do with it, before 1890.

737. You had been going on a good many years at 2*s.* 9*d.*?—I do not know.

Chairman.

738. How long do you know of it going on?—I know of it going on from December 1891.

Mr. *Moon.*

739. That is when you became the liquidator of Mr. Gerrish?—Yes.

740. What it was going on at before then you do not know?—No.

741. Any how, you are 3*d.* better in regard to your competition with the railway than you were prior to 1893?—I do not see that.

742. If the railway increases its rate 1*d.*, and you reduce yours 2*d.*, are not you 3*d.* better in your competition with the railway?—We get some traffic now, and we got comparatively little before.

743. How much did you get?—I do not know; I know altogether we carried very little; I have not the exact figures.

744. I have the figures for 1890, do you know that 12,000 tons passed up to Bath in 1890?—Would not some of that go further.

745. I will not say, it is between 10 miles and 15 miles; is there any other place than Bath between 10 miles and 15 miles?—There is Bathampton.

746. That is not likely to take much grain?—No.

747. To see how the other side of the account will come out, you did send a third of your grain traffic up to Devizes?—When?

748. You gave evidenee before the Board of Trade that you had sent a third of your traffic up to Devizes?—Not a third.

749. A considerable quantity?—Yes, we send some.

750. How much?—I do not think I have got the figures.

751. Take it from me that 3,000 tons of grain go a distance beyond 30 miles, which, of course, would reach Devizes?—We do not carry so much as that, not to Devizes.

752. Upon any traffic that goes to Devizes, do you know how much you gain under the Board of Trade's proposal?—For grain we gain about 3½*d.* per ton, but then we do not carry it; we should gain 3½*d.* per ton if we carried it.

753. Do not you think you may carry it if you are able to carry it at a less charge than you can now?—Not when the railway company have reduced their charge from 7*s.* to 4*s.* 11*d.*

754. That was after the 1st of January 1893?—They first put it up to 7*s.* 3*d.*, then at the beginning of April they took it down to 4*s.* 11*d.*

755. Parliament was responsible for reducing the railway rate on grain, was not it, because grain was put down into a lower class?—Not at the 1st of April.

756. No, you are right; not at the 1st of April. Do you carry fuller's earth?—Very little.

757. Do you carry oil cake?—Not much, bacause

Mr. *Moon*—continued.

because the Great Western Company charge the lowest class of tolls for feed cake.

758. What is oil cake charged at now on the canal?—Penny a ton per mile.

759. The Board of Trade propose to reduce that for the first 10 miles to ·60*d.*?—Yes.

760. That is an advantage you will gain?—No, because the railway rate would still be lower than we could work at except on loads of one ton or so.

761. Why should the railway rates in this district be lower than in any other district in the world?—I do not know, between Bristol and Bath it is competitive traffic; the Great Western is on one side and the Midland on the other, and the waterway between.

762. If carriers on canals can compete with railways in other parts of the kingdom with a toll of ·75*d.*, why cannot you compete with them with a toll of ·60*d.*?—I do not know what the circumstances may be in the other cases.

763. The circumstances of competition between a railway and a canal must be the same if it exists?—Sometimes the railways reduce the rates lower than pays them on certain articles.

764. They reduce the rates as much as possible to encourage the traffic?—I do not know.

765. Do you carry any sawdust?—No.

766. Any soda?—Some soda.

767. Do you know that the rate is very largely reduced on soda?—I believe it is.

768. There again you get an advantage in Class C.?—But we do not carry such a very great weight of that.

769. The rates on that are going to be half what they have been in the past?—No, not half.

770. You have no means of knowing what the effect of the Board of Trade Order is upon the tolls in Class C., have you? You do not know whether it produces a loss upon the company's actual revenue now?—I got out some figures, but they did not show a loss between Bristol and Bath.

771. Do you know what your proposal would do in the way of diminishing the revenue of the railway company?—I do not, I know it would affect us very injuriously, if the present scale was passed between Bristol and Bath for Class C.

772. And advantage to you if you went for a longer distance than 25 miles?—Not in proportion.

773. But any trader who goes more than 25 miles gets an advantage; we are not legislating for the Messrs. Gerrish?—No, but I represent them.

Re-examined by Mr. *Whitehead.*

774. You were asked one question about the traffic generally upon the canal. I believe you have worked out what the effect would be upon the traffic on the canal between Hanham Lock and Bath. I have your own figures here. Will you tell the Committee what the effect would be upon that particular traffic?—With regard to the three items of flour, grain, and timber, the increase, I believe, would be 134*l.*, and the decrease would be 55*l.*

Mr. *Whitehead*—continued.

775. The decrease upon other articles, you mean?—Yes.

776. Between those two points of Hanham Lock and Bath?—Yes.

777. That is traffic to which your amendment relates?—Yes.

778. Upon that traffic there is no recoupment to the trader for the loss he would sustain upon those particular articles?—No.

779. You have gone fully into this question of railway competition, and I think you have answered satisfactorily all my learned friend's questions, but I come back to one of your answers to one of the questions he put to you; you said originally you were charging 2*s.* 6*d.*?—Yes.

780. And you got traffic upon the canal?—Yes.

781. Then you charged 2*s.* 9*d.*——

Mr *Moon.*] He did not say he charged 2*s.* 6*d.*

Mr. *Whitehead.*

782. Yes he did. (To the *Witness.*) About 1890 you were charging 2*s.* 9*d.*?—Yes, some time about then.

783. The result was that that difference of 3*d.* deprived you of traffic to a certain extent?—It would be rather later than 1890.

784. Never mind about the particular date, by putting on the extra 3*d.* you lost traffic?—Yes.

785. I will ask you whether that does not show that a difference of 1*d.* or 2*d.* or 3*d.* in the toll makes a very serious difference to a trader competing with a railway?—Decidedly.

786. You have had practical experience of that?—Yes.

Mr. *Moon.*] He said he had no figures.

Mr. *Whitehead.*

787. He says he has had practical experience (To the *Witness.*) The effect of the Board of Trade Schedule would be to empower the company to charge 1*d.* extra above what they are charging now?—Yes.

788. That, you say, would seriously affect your traffic?—Yes.

Chairman.] That is the initial 10 miles?

Mr. *Whitehead.*] Yes, the amendment only deals with the traffic passing between Hanham Lock and Bath.

Chairman.] Does any of this gentleman's traffic go beyond Bath?

Mr. *Whitehead.*] I will take him to that.

Chairman.] And if so, will you ask him whether he gains on a further distance.

Mr. *Whitehead.*

789. Speaking about your traffic to Devizes; Devizes from Hanham is 30 miles odd?—Thirty-three miles.

790. I understood you to say that in April 1893, the railway company reduced their rate to 4*s.* 11*d.*?—Yes; on over 4 tons.

791. We may assume that you always carry in greater quantities than 4 tons?—Yes, usually.

792. In

Mr. *Whitehead*—continued.

792. In ninety-nine cases out of a hundred?—Yes.

793. So for purposes of competition that is the effective railway rate?—Yes.

794. Can you compete with a rate of that kind?—No.

795. So the result is, though under the Schedule, for the distance of 33 miles there is a theoretical benefit upon your traffic, yet no traffic can now pass owing to the railway competition; you do not get the benefit in your pocket?—No.

Chairman.] Counsel are allowed a little licence in re-examining a witness; but you are putting into his mouth the whole answer that you want to get from him.

Mr. *Whitehead.*] It is a series of logical steps; I was only assisting him to see what they were.

Chairman.] You were rather suggesting to him what they ought to be.

Mr. *Whitehead.*

796. There is only one other point, the railway communication between Hanham and Bath; these two companies run side by side?—Yes.

797. And over this reach of the canal in respect of which you ask a particular benefit you are face to face with that competition?—We are.

Mr. *Richardson.*

798. You spoke of a lack of water; does that arise from a lack of dredging on the part of the company?—Yes, we had a long correspondence with the Board of Trade last year upon that subject. There are only one or two short lengths of 200 or 300 yards each which obstruct, if those obstructions had been removed we should have a much better waterway.

799. They remain undredged?—Yes. This year we had not been troubled much because it has been such a wet season, but usually barges that ought to bring up 55 or 60 tons could only come up with 40 tons; it took two days from Bristol to Bath instead of one day.

800. What is the draught of water they draw?—About four feet. They would draw about four feet with 50 or 55 tons.

801. And with 40 tons what would they draw?—They would not draw much over three feet.

Lord *Clifford of Chudleigh.*

802. You made an application to the Railway Commissioners with regard to the state of the canal?—Yes.

803. What was the result of that?—That was when we appealed to the Railway Commissioners in 1877, and they reduced the tolls upon certain articles.

804. What did they do to put the canal in a better condition?—So far as I know they did not do anything.

805. And they have done nothing since?—They do something, but not enough.

Mr. *Moon.*] I will call the engineer upon this.

Mr. *Spicer.*

806. What did you get out of your 1,000*l.* expenditure?—We got the tolls reduced on certain articles.

807. You went for a reduction of tolls and proper dredging of the canal?—I think not. I had nothing to do with it then.

808. Was it the Kennet and Avon Traders Association that went to the Railway Commissioners?—I believe on Messrs. Garrish's petition, but they were in concert with the others.

The Witness is directed to withdraw.

Mr. *Whitehead.*] That is all the evidence I shall call.

Mr. *Moon.*] The proposition of my learned friend is this, that in respect of certain articles dealt with by the Railway Commissioners in 1877, and where the toll was fixed at 0·50*d.*, and that 0·50*d.* shall prevail for the initial distance, instead of 0·60*d.* which the Board of Trade proposed. If he would also accept the decision of the Railway Commissioners, which was that 0·50*d.* which they fixed for the initial distance should also prevail for the longer distance we might come together. The Board of Trade have altered, not in the general result, but in value, the figures that were fixed by the Railway Commissioners. The Railway Commissioners fixed 0·50*d.* throughout, the Board of Trade have fixed 0·60*d.* for the first 10 miles, 0·50*d.* for the second, 0·30*d.* for the third, and a still lower figure for the fourth. We worked out the Board of Trade figure upon the whole of the traffic, but I I agree with what Mr. Pelham said, that the general result of the proposal of the Board of Trade is that the total gain which the railway company would make upon the whole grain traffic would be 15*l.* Upon the whole of Class C. there would not be a gain at all. Comparing the tolls proposed by the Board of Trade with the tolls which are at present charged upon all articles which at present pass upon the canal in Class C., there would be a loss of 56*l.* upon a total revenue of 1,700*l.* That is the total result of the Board of Trade proposal. It seems to me that my learned friend is in this difficulty: either he must agree to accept the Commissioners' decision *in toto*, which was 0·50*d.* throughout, or he must accept the Board of Trade proposal, which, though it may affect one single trader adversely taken as a whole, distributed over the whole traffic only produces in relation to that particular article a very small gain. 15*l.* upon the whole of the grain traffic represents 1*s.* upon 150 tons; it is absolutely small, and your Grace and the Committee, when you are fixing the maximum which is to prevail in respect of all articles in the class, and to all traders who trade upon the canal, cannot fairly take a special and particular instance, and say that, because in that special and particular instance a trader may show that he will be charged something more than he has hitherto been, you are to fix a lower toll to affect all traders upon the canal. It must be dealt with generally; it cannot be dealt

with on one particular case. Traders were called before the Board of Trade inquiry, who were higher up the canal, and Mr. Lane was called, who dealt largely at a place near Devizes; but he is conspicuous by his absence, for this reason, that the Board of Trade amendment of the Railway Commissioners' figure favour him; just as it happens not to favour this gentleman, Mr. Butcher, or Messrs. Garrish, for whom he is the representative. If we are to get down to a point at which the figure proposed by the Board of Trade is to injure nobody, then we shall get down to a figure which would be unjust, having regard to what is just to the railway company, as well as what is just to the traders; but I say the Committee ought to take into consideration the whole question, and not the position of such an individual trader as Mr. Butcher is, who has been called before you. It is rather remarkable, notwithstanding all that Mr. Butcher says, that in other parts of the country the traders seem to be able to compete with the railway companies, though, as Mr. Pelham said, the standard which they do not go below was 0·75*d.* in respect of Class C., in respect of all the canals dealt with last year, and in respect of almost all the canals before the Committee this year, 0·75 is the standard figure, and is the figure which other traders find themselves perfectly able to compete with the railway companies at, and I have no doubt this gentleman is able to compete with the railway companies if you give him as low a figure as 0·50*d.*, instead of the standard 0·75*d.* I should like to say this about the Railway Commissioners' decision, The Act of Parliament gave the trader upon the canal, and anybody who could show that he was injuriously affected by the operation of the railway rates on the canal, and power to go before the Railway Commissioners, and the Railway Commissioners would fix a toll, and that toll became the maximum toll. My learned friend has spoken as if the toll fixed by the Railway Commissioners was the maximum toll that the railway company could charge, that is not so. The canal company could at any moment until this Provisional Order is passed go to the Railway Commissioners and say, "0·50*d.* is too low in respect of the initial distances." It is not the maximum figure in the sense of what the Committee will settle as the maximum figure. It was an elastic figure which the Commissioners could raise or lower, and the Railway Commissioners fixed that figure as is apparent from their judgment, not upon the traffic to Bath, which is not mentioned in their judgment, but upon the traffic to more distant places, such as Devizes and Hungerford, and so on. The complainants in that case were not Messrs. Garrish. The judgment of the Railway Commissioners says: "The parties who apply to us have a mill at Devizes and Hungerford, the Wilts and Berks Canal Company, and numerous traders and wharfingers interested in the canal."

The Railway Commissioners dealt with the question of the tolls as affecting not the Bath and Hanham Mills traffic, but the traffic to distant places. This is a quotation from their judgment: "As regards the toll per mile which these articles have to pay, and the amount of which it is proposed to reduce from a penny to a halfpenny, it appears that some articles are carried by the railway at rates which, taking as representing them, Bristol rates to such principal places as Bradford, Devizes, Woodboro, Pewsey, Hungerford, and Newbury, and so on, do not exceed 2½*d.*" I need not read the whole of it. I want to show that what the Commissioners had in their minds was the long-distance traffic when they settled the 0·50*d.* It does seem to me that either the one proposition or the other is fair. Now, when you are settling a maximum rate which is not capable of adaptation in the future, either accept what the Railway Commissioners have prescribed as the figure for the whole transit of the traffic, or transmute that0·50*d.* for the whole transit of the traffic into the figure which, whilst complying with the principle hitherto adopted by the Committee and the Board of Trade in dealing with canals will produce upon the whole almost the same result to the canal company. That is what the Board of Trade have done. We did at the hearing before the Board of Trade propose a larger toll than we have been permitted to have. The tolls which the Board of Trade propose involve us in a loss upon the whole Schedule in respect of this particular canal of 347*l.*; and if the amendment now before the Committee is accepted there will be a further loss of something like 200*l.* Now, why should the company be subjected to that further loss upon the evidence merely of one gentleman who comes and says that in his particular trade, or part of his particular trade, namely, that going to Bath he is worse off than he was before. That is all the evidence that is before the Committee.

I want the Committee to know a fact which has not been told them yet, that the tolls upon this canal, the whole receipts upon this canal, do not amount to anything like the working expenses. The working expenses upon this canal are 8,000*l.*, and the total tolls which they receive for the whole of their traffic amounts to 4,000*l.* odd, and with other receipts, such as rents of premises, wharves, and so on, there is a deficiency between the amount which we are bound to spend to maintain this canal and the receipts we get from the traffic upon the canal of no less than 2,247*l.*, and that 2,247*l.* which has to come out of the pockets of the railway shareholders of the company for the maintenance of this waterway for the advantage of millers and other persons upon the banks will be increased by the Board of Trade proposal by 347*l.*, and by another 200*l.* if the proposals of my learned friend are accepted. I venture to submit that having regard to the fact that this is the lowest figure that is proposed for a canal of this kind in the country, and that the receipts are so far below the expenses of maintenance of this canal, it would not be fair to saddle the company with a further loss. I propose to call a witness in order to give the Committee his reading of the Tables, and what the effect of this Board of Trade proposal upon the company is, and what the effect would be if the amendments were accepted as suggested by my learned friend.

MR. JOHN MAHON is called in; and having been sworn, is Examined, as follows:

Mr. *Moon.*

809. You are in the accountant's office of the Great Western Railway Company, and are the receipts and expenses of the accounts of the canals under your control?—Yes.

810. Have you taken out the tonnage upon the canal based on the year 1890, in order to see what the effect would be of the Provisional Order upon your canal?—Yes, I have.

811. Dealing first with the total result, what does it show?—The revenue from tolls under the Provisional Order Tolls would amount to 3,981*l.* 0*s.* 5*d.*

812. I will just put this Table in. It shows the total tonnage on your canal, and what the effect will be of your proposal?—Yes.

813. Does it also show what the effect would be, if you were treated like the Grand Junction Company, for instance?—It does.

814. The Grand Junction being an agricultural canal like this is?—Yes.

815. What loss does it show upon the whole of the Provisional Order?—£ 347 compared with the tolls actually received in 1890.

816. Upon a total toll receipt of 4,327*l.*?—Yes, that is correct. (*The following Table is handed in.* See *Table* A.)

817. Have you also ascertained what in relation to Class C. only would be the effect of the Board of Trade proposal?—Yes, the tolls actually received in that year for Class C. traffic amounted to 1,785*l.* The Provisional Order would give us 1,728*l.*, a loss of between 56*l.* and 57*l.*

818. That is on Class C. alone?—Yes, on Class C. alone.

819. The articles upon which the loss would fall would be fuller's earth, malt, meal, oil-cake, sawdust, and soda?—Yes.

820. What effect would it have upon Class C. if the suggestion of the Mansion House Association were adopted?—The loss of 55*l.* or 56*l.* would be turned into a loss of 244*l.*, an increase of about 190*l.*

821. An increase of about 200*l.* upon the whole class?—Yes.

822. Have you ascertained what the loss would be upon grain?—Yes.

823. How much would it be?—£75 9*s.* 11*d.*

824. What would be the loss upon timber?—£55 12*s.* 8*d.*

825. So that practically the whole loss would fall upon grain and timber?—More than half of it. (*See Table B.*)

826. Can you give to the Committee the receipts and expenses and maintenance of the Kennett and Avon Canal, and the Rivers Kennett, and Avon?—Yes, the receipts for the year 1892, which is the last date I have, amounted to 6,064*l.*, the expenses amounted to 8,826*l.* showing a loss of 2,762*l.*

827. Amongst those expenses is any charge made for establishment expenses?—Nothing whatever.

828. No Board of Directors or anything of that kind?—Except some small fees to the Committee.

Mr. *Moon*—continued.

829. Are there any travelling expenses of the persons employed upon the canal given gratis by the railway company?—There is no charge whatever made for it; they have an ordinary pass for travelling.

830. What is the net deficiency?—Between the revenue and expenses 2,762*l.*

831. Is that an exceptional year or is that about what it usually is?—It seems to be an average year compared with previous years.

832. According to the table which I have before me, up to 1876 the canal was self-supporting?—Yes, there was a small loss in 1874 and a small profit in 1875, and a continuous loss from then.

833. Practically it was self-supporting up to 1876, and since 1876 has there been a continuous loss upon it?—That has been so.

834. The Commissioners' Order was made in 1877, was it not?—Yes.

835. Since the Commissioners Order was made the large loss which is shown there has been incurred?—That is so.

836. The reductions, therefore, which the Commissioners made in the tolls chargeable upon the canal did not increase the revenue of the canal by increasing the traffic?—Certainly not.

837. Of that 6,000*l.* you have given us as recepts, some part is received from tolls, but not by any means the whole of it?—Probably one-third from the rental of property.

838. The figures for 1890, I see, are expenses 8,377*l.*, and the receipts 6,300*l.*?—Yes.

839. £4,327 was derived from toll out of the total receipt of 6,300*l.*, which would leave 2,000*l.* to be derived from other sources?—Yes; that is my recollection of the figures.

840. So that the actual tolls upon the canal only meet half the expenses of carrying the canal on?—Maintenance and working expenses.

(*The following Table was handed in.* See *Table* C.)

Cross-examined by Mr. *Whitehead.*

841. The last Table that you put in, is headed "Statement of Receipts and Expenses for 28 years ending 31st December 1892." Have you got it before you?—Yes.

842. It shows that in 1865 the company was making a profit of 10,554*l.*?—Yes.

843. Is it the fact that in the year 1865 the railway company increased the tolls upon this canal?—Yes, I have not the date. I see they did raise them after the transfer, but I have not the date.

844. About that date?—I have not the date.

Mr. *Spicer.*

845. When was the transfer to the Great Western Railway Company?—In 1852.

Mr. *Whitehead.*

846. That was when it was transferred to the Berks and Hants Railway Company?—No,

Mr. *Whitehead*—continued.

transferred direct from the canal company to the Great Western Company.

847. You do not know that there was an increase of tolls in 1865?—No.

848. If there had been an increase of tolls in 1865 it is a curious coincidence that from that time onwards that profit steadily decreases?—No, considering there had been two variations of tolls; one in 1868, and the other in 1877.

849. It goes up in 1866, then it goes down to 4,000*l.*, 3,000*l.*, 2,000*l.*, 3,000*l*, 2,000*l.*, and then 800*l*, and then 284*l.* until you have a continuous loss year after year?—Yes.

850. There is another Table that you put in, it is not a printed one, but it deals with the effect of the amendment so far as it relates to Class C.?—Yes,

851. It does not relate to the effect of the tolls, but the amendment is limited to that portion of the canal between Hanham Lock and Bath?—Yes, it does practically.

852. Pardon me. Generally you said to my learned friend Mr. Moon, that it applied to the whole of the canal?—I have given the tolls of the whole canal.

853. This applies not to the amendment that we put before the Committee, but to our first amendment which I withdrew?—If I understand your question, I can answer it in this way: that the difference between 56*l.* 15*s.* 5*d.* and 224*l.* 17*s.* 6*d.*, would be the loss of tolls upon the part of the canal between Hanham Lock and Bath.

854. Solely?—Yes.

855. Is there no traffic in Class C. passing?—I do not say that, but this loss only leads to this. I gave the figures for the whole of Class C., and then I gave you the variations, and the difference between the 56*l.* and the 244*l.* applies wholly to the distance between Hanlam Lock and Bath,

856. That does not appear upon the face of this Table?—No.

857. This was prepared for the second amendment, not the first?—It was prepared to meet the two.

858. But they are different, which does it relate to?—The total figures relate to the whole of the canal.

859. The total figures relate to the whole of the canal; that is what I thought?—The first decrease in the fourth column at the bottom, 56*l.* 15*s.* 5*d.*, will be the loss on the whole of the canal, but in consequence of the suggestion made that that 0·6*d.* between Hanham Lock Mills and Bath should be reduced to 0·5*d.*; it involves a further loss of 190*l.*, making 244*l.* 17*s.* 6*d.*

860. But that is on the whole class?—Yes.

861. It is not confined merely to the possible loss upon grain, flour and timber?—The loss is shown there upon each article.

862. This shows that the important articles in the class are grain, flour and timber?—Undoubtedly.

863. Now go to the question of grain. I see you there put down that there will be an increase under the Provisional Order on grain?—£.15.

864. That is to say that the traders you anticipate will get that amount of benefit?—Yes.

865. That figure of 15*l.* is arrived at by taking the traffic of 1890?—Yes.

Mr. *Whitehead*—*continued.*

866. Is it not the fact that in the year 1890 there was a greater traffic between Bath and Devizes?—I cannot answer that question.

867. It has been given in evidence already, so I will inform you of that fact. It has been told to the Committee by Mr. Butcher that there was a traffic to Devizes in grain in 1890, and that that traffic had ceased to exist. Supposing that is so, what trader will get the benefit of the 15*l.* increase now in 1894?

Mr. *Moon.*] He would not get the benefit of the increase, it would be against him.

Chairman.] Does this Table of 1890 apply to the bit between Hanham Lock and Bath, or over the whole line?

Mr. *Whitehead.*] I ask the question. The first four columns relate to the whole canal.

Chairman.] What do you call the first four columns?

Mr. *Whitehead.*] "Tolls actually received," "Provisional Order, 1894," "Increase and Decrease." Those refer to the whole canal from Hanham Lock up to Reading; the whole distance of 86 miles.

Mr. *Spicer.*] Seeing that this was prepared to show the loss upon both amendments, may we clearly understand which is the loss on the amendment you have withdrawn, because the witness has told us that this Table was intended to show the loss upon both amendments. We have not arrived at how these were dealt with.

Mr. *Whitehead.*

868. I cannot get it from him. (To the *Witness.*) Will you answer the question; here is a loss of 2*l.* 12*s.* 1*d.*; 75*l.* 9*s.* 11*d*; and 55*l.* 12*s.* 8*d.*, as due to traffic passing between Hanham Lock and Bath?—I will give the figures. The total amount to be derived from grain under the Provisional Order is 826*l.* 17*s.*; of that 544*l.* 6*s.* 6*d.* is in respect of traffic carried for the first 10 miles.

Earl of *Lauderdale.*] That is not given in this Table.

Mr. *Moon.*] You remember Mr. Butcher said, if 0·60*d.* was charged instead of 0·50*d.* it would mean a difference to him of 75*l.*; that corresponds exactly with what Mr. Mahon says would be the loss to the company, namely, grain 75*l.*, so that that loss is based, of course, only upon Mr. Butcher's traffic between Bath and Hanham Mills.

Mr. *Spicer.*

869. May we understand that the 1,540*l.* 10*s.* 6*d.* represents the loss if this first portion of the amendment had stood?—Yes, certainly.

870. That is 1,540*l.*?—Yes.

871. Then the amendment which Mr. Whitehead is now arguing for will produce 244*l.* 17*s.* 6*d.* less?—Yes.

Mr. *Whitehead.*

872. You are making a mistake, I think. The sum of 244*l.* 17*s.* 6*d.* is the difference between the Provisional Order tolls of 1894 and the amount of the tolls before-mentioned in our amendment?—Yes.

873. The

Mr. *Whitehead*—continued.

873. The difference between 1,728*l.* and 1,543*l.* odd? — No, between 1,785*l.* 8*s.* and the 1,540*l.* 10*s.* 6*d.*, the tolls actually received, and the tolls under the Mansion House amendment.

874. You say that if this Mansion House amendment is passed, instead of the tolls between Hanham Lock and Bath remaining exactly as they are, which is what we ask, there will be a difference to the damage of the company of 75*l.* How do you make that out? We ask that the tolls should remain as they are to-day. You say, if we get what we ask you will lose 75*l.*?—Let Let me say it with this qualification, I have taken out the traffic in grain conveyed for each distance of 10 miles. I find that for the first 10 miles our receipts from grain amounted to 544*l.* If the 0·6*d.* is reduced to 0.5*d.* we shall lose one-sixth of that, which is 90*l.* I have taken that out from the 826*l.* and it gives me the figure of 736*l.* as representing the Mansion House amendment. But I am not prepared to say the whole of that traffic conveyed for the first 10 miles passed between Hanham Lock and Bath, but my impressioa is that such is the case.

Mr. *Moon.*] It must be because the figures are the same as Mr. Butcher gave.

Mr. *Whitehead.*

875. (To the *Witness.*) You gave the Committeee a comparison between the tolls fixed for this canal by the Board of Trade and the tolls fixed last year by Parliament for the Grand Junction Company?—Yes.

876. Is it not the fact that the Grand Junction Company is an independent company competing with the railways?—An independent company certainly, but as to competing with the railways I cannot say anything.

877. But it is an independent company?—Yes.

878. In that respect it differs materially from the Kennett and Avon Company?—I should think they are very much on all fours, considering the length of the canal. There is a large through traffic upon each, and it seems to me that they are much the same class of canal.

879. You do not think that if the canal is in the hands of the railway company, who have the control of the tolls that that makes a considerable difference in the quantity of tolls granted

Mr. *Whitehead*—continued.

to them?—No, I do not think that is my experience.

Mr. *Richardson.*] Can we have how much is spent in dredging the canal?

Mr. *Moon.*] I will put the engineer in the box, and you will probably get it from him, though I do not know whether he can give it.

Re-examined by Mr. *Moon.*

880. Going back to the Table which shows the receipts and expenses, my learned friend suggested that since 1865 there has been a raising of the tolls, you do not know anything about that?—No.

881. What is more important, and what you do know something about, is that an application was made to the Board of Trade in 1868 to reduce the tolls?—Yes.

882. Since 1868 does that Table show that the revenue, with the reduced tolls, has been gradually decreasing?—Yes, decidedly from that date.

883. So from 1868, when the Board of Trade reduced your toll the traffic still decreased?—Yes, from that date.

884. And in 1877, when the Commissioners reduced your tolls, your receipts decreased very quickly?—They did so.

885. I can, perhaps, get at the question of the 75*l.* so as to make it clear in this way, if you will take the distance to Bath, instead of being 11 miles, as 10 miles, and the difference between ·60 and ·50 as being a tenth of a penny, that would be a penny on each ton?—Yes.

886. And 75*l.* represents, according to my calculation 18,000 tons?—That is right.

887. Is that the tonnage or about the tonnage which Mr. Butcher gave as passing to Bath?—Yes.

888. So your loss of 75*l.* coresponds with the figures he gave of the difference between the charge of ·60 and the charge of ·50?—Yes, remarkably so.

889. It is fair to point that the proposal of the Mansion House Association now only relates to the latter items on the Table, of flour, grain, and timber; the decrease added together upon those being 133*l.* instead of 244*l.*;—That is so.

[The Witness is directed to withdraw.

MR. CHARLES FREDERICK HART is called in; and having been sworn, is Examined as follows:

Mr. *Moon.*

890. YOU are the engineer who superintends the necessary repairs, and so on, on the "Kennet and Avon"?—Yes.

891. I believe that an inquiry was conducted before Colonel Rich, one of the Inspectors of the Board of Trade, into the question of how the canal was maintained?—Yes.

892. Is this what Colonel Rich said in his report, "The works generally are maintained in good order and considering the whole of the circumstances of the case, I advise the Board of

Mr. *Moon*—continued.

Trade to urge the Great Western Railway Company to dredge and carry away the mud that is deposited in several parts of the navigation and in Crofton Reservoir"?—Yes.

893. Upon the whole are the works upon your canal well maintained?—They are well maintained.

894. Are there exceptional difficulties in the maintenance of your canal?—Yes, very exceptional difficulties in maintaining the portion of the canal between Bath and Bradford, a dis-

Mr. *Moon*—continued.

tance of nine miles; the difficulties occur from the canal being constructed through oolite and cornbrash, two of the most porous strata you can possibly have. Then again, it is constructed partly in side-cutting and partly in embankment, and the division between the two portions of the canal runs quite in the centre. The hills in some portion of the course of the canal are 200 feet above the bed of the canal, and the result is that the oolite, which is very greatly disturbed, collects the water, and the water forces itself through the bottom of the canal, and is constantly causing leaks, and very serious leaks. I believe we lose from 60 to 70 per cent of the water that we are able to put into it.

895. Does that leaking of the water also cause slips, rendering piling necessary?—It causes slips, and we have frequently to pile the lower side of the canal; that is the constructed side of the canal.

896. Have you had a difficulty recently there?—Not exactly a difficulty, but we have been carrying out the ordinary repairs on half-a-mile of the canal. It was thoroughly repaired three years ago, but in taking the water out, I really never saw the bottom of a canal in such a state anywhere. We had 40 men at work for nine days, and we used, in making good the leaks that occurred during that short length, very nearly 500 tons of puddle. In some cases we had to go down six feet below the bottom of the canal. That most likely will only last about three years.

897. The mischief that had taken place had taken place during the last three years?—Yes; and notwithstanding that I keep a gang of men continually seeking leaks and stopping them as well as they can be stopped when the water is in the canal; but that, of course, cannot be done effectually in a case like this.

898. Is everything done to keep the navigation of the canal as effective as possible?—No expense is spared

899. Coming to the part of the Avon River below Bath, what works have been done there; are there six locks?—There are six large locks, varying in length from 104 to 107 feet, and all of which are 18 feet wide.

900. In connection with the locks are there cuts?—In connection with the locks there are cuts and weirs; wherever there is a change of level in the river there is necessarily a weir to carry away the large quantities of water we sometimes get in the river and also to enable the traffic to pass through the lock.

901. The weirs and cuts and locks are for the purpose of making the river navigable?—Yes.

902. Have you to dredge?—Yes.

903. Do you, to the best of your ability, keep that part of the navigation in good repair?—Yes, always; I admit that last year we had some very special difficulties occasioned by the great drought and also by the fact that the millers' rights on the river are superior to those of the company; they pull down the water just as they like and even stop the traffic without giving us notice.

904. The millers have the first pull on the water?—The millers have the first pull on it,

Mr. *Moon*—continued.

and because it was scarce they pulled it down unduly and considerable interruption occurred in the passage of traffic last year.

905. Last year was an unprecedented year; under ordinary circumstances is there any difficulty in providing sufficient water?—Only in summer, there is, and always has been a difficulty in passing traffic through the locks in the middle of the day; the millers exercise their rights, and until they shut down their hatches, barges, and heavy laden craft have to wait.

906. I suppose it would be impossible to provide artificial water enough to give a depth of water at all times of drought in the river and to provide for the millers too?—Yes, the more we had the more they would take.

907. Are there difficult places on the river where there are shoals? — Yes, there are occasional shoals that are thrown up after a flood, and the water going over the weir forms an eddy, and causes an interruption; but these are kept down as far as possible.

908. When that happens, do you dredge?—Then we dredge.

909. Is there any desire to stint the expenditure upon that part of the navigation?—No, nor throughout the canal generally. I have never, during the 12 years I have been in charge of the canal, had a single complaint as to the expenditure, and I have spent a considerable sum of money on it.

910. I do not know whether you can answer the question the honourable Member asked as to how much you spent upon dredging?—I am afraid I could not tell that off-hand. I can say that for the last five years we have dredged an average of about 32,000 tons of mud a year. We have a steam dredger that is working over a part of the canal, it is now at a place called Wooton Rivers, out at the right hand corner of the map, and when it gets from there to about a mile and-a-half from Devizes it has been once over the whole of the canal.

911. The floods in the river bring a good deal of silt down and silt up your cuts?—Yes, that is a difficulty, because the cuts have still water in them, and the silt is driven into them in floods, and it is not only driven into them then, but it is also driven in when the millers take all the water out.

912. You contend with these difficulties by using your dredger when required?—Yes, and using a hand dredger in other places.

Mr. *Richardson.*

913. Is the dredger continually at work?—Yes.

Cross-examined by Mr. *Whitehead.*

914. What is your evidence driving at? What relation has all this interesting information to the amendment I am proposing?—I do not know. I have only answered the questions asked me.

Mr. *Moon.*] My learned friend's own witness suggested that the only ground upon which he asked for lower tolls was the difficulty of the Navigation.

915. You

Mr. *Whitehead.*

915. You say that the bulk of the dredging takes place over towards Reading?—No, I did not say that. I said the dredger is now at Wootton Rivers at that top corner, and when it comes within about a mile and a half of Devizes the dredger will have been thoroughly over the the whole canal between Bath and Reading.

916. That is not between Bath and Hanham?—No.

917. It has nothing to do with Bath and Hanham?—I said where the steam dredger did not go we used hand means.

918. Is not it the fact that at the present time there is a case pending before the Board of Trade with regard to the condition in which the canal is kept?—I do not know anything about a case being pending. I know several letters have been written, but we believe we have completely answered them.

Mr. *Moon.*] I submit that my learned friend's questions now are not material to this inquiry, because he is suggesting that there is some sort of inquiry going on before the Board of Trade to ascertain whether this canal is well maintained or not. I submit that the Committee have got to fix a maximum upon the supposition that the Parliamentary obligation of the company to maintain the canal will be carried out. If is not carried out, of course the Board of Trade can intervene. Suppose the Committee fixed a lower toll, because they thought the lower part of the navigation was not well maintained, that toll fixed by the Committee upon the ground would remain, but next month my learned friend's clients would go to the Board of Trade, and the Board of Trade would compel the company to maintain the canal properly. The position then would be this; you would have decided upon a lower toll than otherwise you would have decided, because the canal was not well maintained, and the next month the company would be forced to maintain the canal. Therefore I submit that that line of inquiry is irrelevant.

Mr. *Whitehead.*] Admitted; I admit that all the evidence that this gentleman has been giving is irrelevant—I ask your pardon—I do not think it proper for me to pursue that line of inquiry. All this evidence about dredging has nothing to do with what the toll should be between Hanham and Bath, and I will not press it any further. I do not propose to make any speech in reply.

Chairman.] Now we will hear what Mr. Pelham has to say with regard to this proposed amendment.

Mr. *Pelham.*] You notice that the tolls on this canal are lower than on any other canal that has been before the Committee; lower than the standard rate, although it is an agricultural canal; and therefore perhaps you might expect that the toll would be rather higher because the traffic is not so great. The reason was that the Railway Commissioners had fixed certain rates on the application of the traders; those rates which they fixed did not fit our classification at all, but the Board of Trade did their best to carry out what the Railway Commissioners had decided. The company before me said they were content to adopt the Grand Junction Canal scale, which is the ordinary scale; the traders oppose that, and I said I did not think the Board of Trade ought to ffx the scale of tolls higher than the Railway Commissioners had fixed. Therefore the Board of Trade did their best to reproduce in a different form what the Commisioners had settled, but from the classification being so different, and the principal of the tolls being so different, it is impossible to produce something which would fit every case; you must increase the tolls in some cases unless you decrease all the tolls all round. Now, this is an application to reduce the toll at the lower end of the canal. It seems to me the question might arise whether it was fair to the other traders on the other parts of the canal that the toll should be reduced there, and not on their part of their canal; and if it is said that that part of the canal is less expensive than the other part, then the toll on that part ought ought to be reduced all round, not merely on certain articles. I should also like to call attention to the fact that on the upper part of the canal the Great Western have it all their own way; it is Great Western Railway and it is Great Western Canal; but between Bath and Bristol the traders have the protection of the competition with the Midland; and therefore the railway rates, at any rate, are likely to be kept low. The tolls in the Schedule are the nearest approach possible to what the Railway Commissioners fixed, but at the same time they give a loss to the company of 500*l.* or 600*l.*

The Committee deliberate.

Chairman.] The amendment proposed by Mr. Whitehead is as follows: "Provided that, notwithstanding anything in the above Table, the maximum toll for Class C. traffic conveyed between Hanham Lock and Bath shall not exceed one halfpenny per ton per mile." The Committee has decided that they will not insert that amendment.

Mr. *Balfour Browne.*] On the other canals belonging to the Great Western we gave notice of amendments against both the Stourbridge Extension Canal and the Bridgwater and Taunton Canal. Unfortunately (I do not blame the Great Western at all), they do not seem to have got our letter, and our amendments were not printed amongst the other amendments. The amendment we proposed on the Stourbridge Extension Canal I propose to withdraw; but upon the Bridgwater and Taunton Canal the Board of Trade have allowed them ·9*d.*, and against that I have something to say, and I will have one or two witnesses to call.

Ordered, That this Committee be adjourned to Tuesday next, at Half-past Eleven o'clock.

[*The following Tables were handed in.*]

(A.)

KENNET AND AVON CANAL.—Year 1890.

ARTICLE.	Tolls Actually received.		Tolls receivable per Grand Junction Canal Schedule.	Tolls receivable per Great Western Railway Company's Deposited Schedule.	Provisional Order, 1894.
	Weight.	Amount.			
	Tons.	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
Ashes	18,967½	146 12 –	143 7 –	215 4 6	143 7 –
Bath Stone	2,149½	48 9 6	48 2 3	77 11 4	48 2 3
Beer	1,215	54 10 –	53 10 5	49 – 7	48 9 1
Block Stone	2,467½	87 8 –	82 1 6	138 9 7	82 1 6
Bricks	4,530	22 5 –	21 10 –	35 – 5	21 10 –
Coal	27,748½	278 10 –	267 19 4	486 19 7	267 19 4
Empties	1,483½	46 8 6	83 4 3	82 11 8	77 – 10
Flour	5,934	140 8 6	201 – 10	251 15 3	160 12 2
Fuller's Earth	369	25 16 –	17 15 10	23 4 7	14 8 11
Grain	23,524½	811 12 6	1,060 12 2	1,436 8 –	826 17 –
Gravel	979½	55 19 –	41 – 4	73 10 4	41 – 4
Iron	1,803	65 10 6	56 12 1	99 7 4	56 12 1
Iron Castings	481½	25 19 6	23 18 8	22 19 5	21 12 4
Malt	568½	26 9 –	33 2 7	45 10 4	25 10 8
Manure	3,198	174 10 6	122 15 6	214 13 8	122 15 6
Meal	484½	31 7 6	34 17 4	52 7 8	26 2 5
Oil	349½	33 19 –	25 19 4	28 12 11	24 10 5
Oil Cake	481½	49 4 6	30 10 2	42 6 10	23 9 10
Paving Stone	1,926	52 11 –	50 5 3	84 6 10	50 5 3
Road Stone	16,933½	450 14 6	411 4 8	640 12 9	411 4 8
Sand	3,385½	146 9 –	121 11 10	196 17 7	121 11 10
Sawdust	679½	50 18 6	43 17 8	59 9 2	34 10 9
Soda	927	75 13 6	49 6 3	66 1 8	38 13 3
Sundries (not classed)	6,984	453 13 6	400 9 3	399 1 5	367 14 1
Tar	3,204	196 12 –	136 9 8	289 15 1	136 9 8
Timber	15,654	573 18 –	860 16 7	1,084 18 2	578 7 7
Wall Stone	1,002	6 11 6	7 6 4	11 14 1	7 6 4
Other Goods	8,699	195 18 –	222 13 4	233 7 6	202 15 4
	156,129½	4,327 19 –	4,652 – 5	6,441 18 3	3,981 – 5

(B.)

KENNET AND AVON CANAL.—Year 1890.

Class C.	Tolls Actually Received. Weight.	Tolls Actually Received. Amount.	Provisional Order, 1894.	Increase.	Decrease.	Amount of Tolls per Mansion House Amendment.	On Tolls Actually Received. *Decrease.*
	Tons.	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
Fuller's Earth	396	25 16 –	14 8 11	—	11 7 1	12 18 2	12 17 10
Malt	568½	26 9 –	25 10 8	—	– 18 4	23 3 4	3 5 8
Meal	484½	31 7 6	26 2 5	—	5 5 1	24 2 1	7 5 5
Oil Cakes	481½	49 4 6	23 9 10	—	25 14 8	21 11 11	27 12 7
Sawdust	679½	50 18 6	34 10 9	—	16 7 9	31 14 2	19 4 4
Soda	927	75 13 6	38 13 3	—	37 – 3	34 16 6	40 17 –
Total of Items showing *Decrease*	3,510	259 9 –	162 15 10	—	96 13 2		
Flour	5,931	140 8 6	160 12 2	20 3 8	—	137 16 5	2 12 1
Grain	23,524½	811 12 6	826 17 –	15 4 6	—	736 2 7	75 9 11
Timber	15,654	573 18 –	578 7 7	4 9 7	—	518 5 4	55 12 8
Total of Items showing *Increase*	45,112½	1,525 19 –	1,565 16 9	39 17 9	—		
TOTAL	48,622½	1,785 8 –	1,728 12 7	—	56 15 5	1,540 10 6	244 17 6

(C.)

GREAT WESTERN RAILWAY.

Brecon and Abergavenny and Monmouthshire Canals.

Statement of Receipts and Expenses for 27 Years ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1866 - - -	2,794	2,521	273	—
1867 - - -	2,032	2,473	—	441
1868 - - -	1,907	2,596	—	689
1869 - - -	1,527	2,840	—	1,313
1870 - - -	1,511	2,505	—	994
1871 - - -	1,371	2,826	—	1,455
1872 - - -	1,387	2,772	—	1,385
1873 - - -	1,436	2,261	—	825
1874 - - -	1,020	2,206	—	1,186
1875 - - -	1,004	2,097	—	1,093
1876 - - -	1,138	5,919	—	4,781
1877 - - -	1,001	3,375	—	2,374
1878 - - -	738	3,939	—	3,201
1879 - - -	700	2,738	—	2,038
1880 - - -	1,269	3,156	—	1,887
1881 - - -	1,424	2,452	—	1,028
1882 - -	1,554	2,651	—	1,097
1883 - - -	1,649	2,574	—	925
1884 - - -	1,529	2,919	—	1,390
1885 - - -	1,430	2,704	—	1,274
1886 - - -	1,357	2,787	—	1,430
1887 - - -	1,277	2,496	—	1,219
1888 - - -	1,397	2,904	—	1,507
1889 - - -	1,324	3,828	—	2,504
1890 - - -	1,366	3,806	—	2,440
1891 - - -	1,296	3,754	—	2,458
1892 - - -	1,277	3,609	—	2,332

GREAT WESTERN RAILWAY.

Bridgwater and Taunton Canal.

Statement of Receipts and Expenses for 17 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1876 - - -	1,732	925	807	—
1877 - - -	1,533	801	732	—
1878 - - -	1,767	764	1,003	—
1879 - - -	1,678	738	940	—
1880 - - -	1,548	833	715	—
1881 - - -	1,486	997	489	—
1882 - - -	1,534	784	750	—
1883 - - -	1,801	1,091	800	—
1884 - - -	1,724	1,121	603	—
1885 - - -	1,560	2,111	—	551
1886 - - -	1,322	3,344	—	2,022
1887 - - -	1,441	1,072	369	—
1888 - - -	1,586	723	863	—
1889 - - -	1,349	1,184	165	—
1890 - - -	1,239	1,056	183	—
1891 - - -	1,237	878	359	—
1892 - - -	1,349	1,049	300	—

GREAT WESTERN RAILWAY.

Grand Western Canal.

Statement of Receipts and Expenses for 16 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1877 - - -	287	264	23	—
1878 - - -	258	233	25	—
1879 - - -	260	190	70	—
1880 - - -	272	188	84	—
1881 - - -	262	459	—	197
1882 - - -	274	266	8	—
1883 - - -	303	175	128	—
1884 - - -	271	159	112	—
1885 - - -	206	162	44	—
1886 - - -	220	147	73	—
1887 - - -	177	250	—	73
1888 - - -	198	139	59	—
1889 - - -	137	184	—	47
1890 - - -	218	150	68	—
1891 - - -	199	171	28	—
1892 - - -	174	216	—	42

GREAT WESTERN RAILWAY.

Kennet and Avon Canal and Rivers Kennet and Avon.

Statement of Receipts and Expenses for 28 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1865	20,706	10,152	10,554	—
1866	17,117	8,586	8,531	—
1867	14,194	11,514	2,680	—
1868	11,877	7,662	4,215	—
1869	10,517	6,761	3,756	—
1870	9,625	6,828	2,797	—
1871	10,803	6,944	3,859	—
1872	10,018	7,498	2,520	—
1873	9,816	8,987	829	—
1874	9,656	9,771	—	115
1875	9,253	8,969	284	—
1876	9,132	9,304	—	172
1877	8,216	10,758	—	2,542
1878	6,776	8,337	—	1,561
1879	6,805	7,554	—	749
1880	6,659	9,001	—	2,342
1881	6,582	7,850	—	1,268
1882	6,037	8,439	—	2,402
1883	6,215	8,582	—	2,367
1884	5,979	8,567	—	2,588
1885	5,901	8,204	—	2,303
1886	5,637	7,962	—	2,325
1887	5,619	7,972	—	2,353
1888	5,482	9,051	—	3,569
1889	6,575	8,452	—	1,877
1890	6,300	8,377	—	2,077
1891	5,792	8,296	—	2,504
1892	6,064	8,826	—	2,762

GREAT WESTERN RAILWAY.

Stourbridge Extension Canal.

Statement of Receipts and Expenses for 28 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1865	3,557	1,725	1,832	—
1866	3,414	1,844	1,570	—
1867	3,259	1,432	1,827	—
1868	3,074	2,023	1,051	—
1869	3,136	1,551	1,585	—
1870	2,944	1,551	1,393	—
1871	3,310	2,202	1,108	—
1872	3,191	1,380	1,811	—
1873	2,991	1,310	1,681	—
1874	2,793	1,323	1,470	—
1875	2,741	1,225	1,516	—
1876	2,249	1,117	1,132	—
1877	1,824	1,148	676	—
1878	1,074	1,183	—	109
1879	1,388	1,091	297	—
1880	1,249	1,189	60	—
1881	1,000	1,114	—	114
1882	1,276	1,170	106	—
1883	1,347	1,112	235	—
1884	1,362	693	669	—
1885	1,378	646	732	—
1886	1,378	714	664	—
1887	1,492	1,049	443	—
1888	1,460	911	549	—
1889	1,475	1,140	335	—
1890	1,379	825	554	—
1891	1,341	851	490	—
1892	1,409	754	655	—

GREAT WESTERN RAILWAY.

Stratford-on-Avon Canal.

Statement of Receipts and Expenses for 28 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1865 - - -	5,536	1,797	3,739	—
1866 - - -	5,143	1,818	3,325	—
1867 - - -	4,966	1,750	3,216	—
1868 - - -	4,963	1,716	3,247	—
1869 - - -	4,447	1,732	2,715	—
1870 - - -	4,501	1,731	2,770	—
1871 - - -	4,750	1,726	3,024	—
1872 - - -	4,220	2,043	2,177	—
1873 - - -	3,841	2,064	1,777	—
1874 - - -	3,123	2,092	1,031	—
1875 - - -	3,607	2,174	1,433	—
1876 - - -	3,639	2,196	1,443	—
1877 - - -	3,470	2,891	579	—
1878 - - -	3,113	2,769	344	—
1879 - - -	2,975	3,411	—	436
1880 - - -	2,637	4,332	—	1,695
1881 - - -	2,613	2,621	—	8
1882 - - -	2,781	2,603	178	—
1883 - - -	2,446	2,614	—	168
1884 - - -	2,226	2,661	—	435
1885 - - -	2,162	2,320	—	158
1886 - - -	2,127	2,338	—	211
1887 - - -	1,728	2,092	—	364
1888 - - -	1,786	1,855	—	69
1889 - - -	1,720	1,969	—	249
1890 - - -	1,607	1,931	—	324
1891 - - -	1,529	1,850	—	321
1892 - - -	1,413	1,953	—	540

GREAT WESTERN RAILWAY.

Swansea Canal.

Statement of Receipts and Expenses for 19 Years, ending 31st December 1892.

Year.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.
1874 - - -	9,975	3,975	6,000	—
1875 - - -	8,457	3,379	5,078	—
1876 - - -	7,261	3,844	3,417	—
1877 - - -	7,598	4,698	2,900	—
1878 - - -	7,414	3,424	3,990	—
1879 - - -	8,462	4,218	4,244	—
1880 - - -	8,482	4,158	4,324	—
1881 - - -	8,247	4,092	4,155	—
1882 - - -	9,561	3,586	5,975	—
1883 - - -	8,958	3,573	5,385	—
1884 - - -	8,239	3,353	4,886	—
1885 - - -	8,028	3,803	4,225	—
1886 - - -	7,287	4,094	3,193	—
1887 - - -	6,626	3,872	2,754	—
1888 - - -	6,668	3,922	2,746	—
1889 - - -	7,661	3,889	3,772	—
1890 - - -	7,903	4,013	3,890	—
1891 - - -	6,882	4,275	2,547	—
1892 - - -	7,091	4,265	2,826	—

Die Martis, 19° *Junii*, 1894

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Joseph Richardson.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

Mr. *Moon.*] In reference to the application made the other day on behalf of the North Staffordshire Company, your Grace was good enough to say that the North Staffordshire Company were to send in amendments to the Schedule of the Bridgewater Navigation proposal. No petition had been presented, because, as I stated, we thought we had been misled by the Bridgewater Navigation. My clients have had a consultation with the Bridgewater Navigation people, and they find that their apprehensions are ill-founded, that in point of fact there is nothing between us ; therefore I shall not have to take advantage of the decision of the Committee.

Chairman.] I may mention that we shall not sit on Tuesday or Wednesday next week.

Mr. *Pelham.*] I understand the other Bills, No. 4 up to No. 12, have now been referred to the Committee, and the Committee understand that it is necessary to fix a formal day on which the Committee will sit to hear these cases, in order that a day may be fixed for the parties to lodge petitions. I have to suggest after conference with the officials of the House that for the next three Bills, No. 4, relating to the Birmingham Canal, No. 5, relating to the Regent's Canal, No. 6, relating to the River Lee and other navigations, Thursday week, the 28th of June, be fixed for the first hearing, so that the Petitions with regard to those canals must be sent in in the course of the present week. I understand the Bill has been printed and circulated for eight days, although this gives an additional four or five days. All I have to ask as regards the other Bills, No. 7 up to No. 12, is that the day be fixed for Thursday fortnight, that will be the 5th of July. The effect of that will be that the Petitions must be presented in the course of next week for and against those Bills; that will give a little longer time. I do not know whether there is any objection to that.

Mr. *Moon.*] With regard to these Bills that have been mentioned by Mr. Pelham, taking first of all the Bills which he proposes should be fixed for the 28th of June, when shall the amendments to those Bills be put in? As regards the Birmingham Canal Bill, it is a Bill in which there will be the most opposition of any of the Bills before you, and it is of great importance to the Birmingham Canal Company that they shall have sufficient time to consider the amendments which are sent in to that Bill. I would ask your Grace, after you have fixed the date at which the amendment should be sent in, to allow a fortnight's grace to the Birmingham Canal Company to consider the effect of the amendments and see what evidence they will require to produce in order to meet the case of their opponents. I think probably the cases of the other canals will occupy that fortnight; but my clients think that a fortnight is the least time after they receive the amendments within which they can properly make their case to meet those amendments which are sent in to their Bill.

Chairman.] What date would that bring us to?

Mr. *Moon.*] It would depend upon what date you fix at which the amendment must be sent in.

Chairman.] It seems that a fortnight is a very long time.

Mr. *Moon.*] A fortnight after the amendments have been delivered. The tonnage upon the Birmingham Canal is greater than the tonnage of any other canal in the kingdom by far. I do not know what Mr. Pelham would say to it.

Mr. *Pelham.*] I am very anxious that when the first three Bills are done the Committee should proceed with the Birmingham Canal. It is possible that your Grace's sittings may be protracted and that the end of the Session may come at an uncertain moment; and the question will be then, what will be the effect upon the canals left and the canals that have been dealt with? It is very desirable to get the Birmingham Canal case finished ; it is the keystone of a whole system of canals throughout the country. Last year the powers with regard to the canals that were dealt with ought to have come into

force on the 1st January this year. The Board of Trade postponed the commencement till the 1st January next year in order that the other canals which connect with them might be dealt with at the same time. It will be important that if the new Schedules should come into force with certain canals they should also come into force with the other canals which connect with them. The remaining canals, after Birmingham has been dealt with, are not so important; they do not form part of through routes. It seems to me that with regard to all the questions about amendments, the Birmingham Company know exactly what is going to be proposed; it was fought out last year, and they had the amendments then; it has been gone into since by the Board of Trade, or by me upon their behalf, and the simple thing with regard to the Birmingham Canal will be their higher tolls. I do not see why they should have a great deal longer time to consider the matter than any other canal. I do not know whether it is too soon to order the amendments to be sent in?

Chairman.] I think not.

Mr. *Pelham.*] If your Grace orders that the amendments relating to the Birmingham Canal shall be sent in by the end of next week, that will be Friday, the 29th, further application may be made later to your Lordship and the Committee as to when the case of the Birmingham Canal should be heard.

Mr. *Moon.*] We have no desire to postpone the hearing, if we can get our case ready. If the amendments are ordered to be sent in on the 29th, they will be before the Committee and will occupy them sufficiently long to enable them to get their case ready. As the last day for petitioning is next Saturday, the amendments may be sent in on Monday.

Chairman.] Surely that will be sufficient. We fix the amendments to be put in by Monday the 25th.

Mr. *Pelham.*] That is with regard to Nos. 4, 5, and 6 Bills?

Chairman.] Yes. Then you will have time to prepare your amendments.

Mr. *Moon.*] That will suit us.

Chairman.] I say nothing about a fortnight.

Mr. *Moon.*] I understand that if the amendments are put in by the 25th it will virtually give us that time?

Mr. *Pelham.*] I understand that your Grace accedes to the proposal that the first three Bills should be fixed for Thursday week, so that the Petitions will come in this week, and for the rest of the Bills for Thursday fortnight, the 5th July. I think it is important to give a little more time to the Irish and Scotch Bills.

Chairman.] Very well; let it be so.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER, No. 1.

Canals of the Great Western Railway Company.

Bridgewater and Taunton Canal.

Mr. *Whitehead.*] I appear on behalf of the Mining Association of Great Britain, and I move an amendment to the toll applying to the Bridgewater and Taunton Canal; that is upon page 12 of the Bill. If your Grace looks at that scale you will see, with regard to Classes A. and B., the figure 0·90*d.* has been inserted in the Schedule. That figure, if you remember, is extra high; 0·50*d.*, a halfpenny a ton per mile, has been taken as the normal figure for all articles in Classes A. and B. At the present time there has been no Schedule passed by this Committee containing a higher toll; but whether it be so or not, no Schedule which has been contested has ever authorised a higher toll per ton per mile for coal and heavy mineral traffic than a halfpenny per ton per mile. Now this Schedule, you see, proposes to give to the company 0·90*d*, which is nearly 1*d.* per ton per mile. That, on the first blush of it, is an extraordinary high charge; and I am going to submit to the Committee that a charge such as that ought not to be authorised in respect of merely mineral traffic unless special circumstances are pointed out to the Committee which justify a higher than a normal charge. The facts are these: the canal is marked upon the cartoon up here as running from Taunton to Bridgewater, and it is a navigation about 14½ miles long. If that navigation were a very expensive one to maintain that might be a good reason which would justify the Committee in authorising a very high toll; but the facts are these: I turn to the Canal Returns furnished to the Board of Trade in 1888, and I see there that the maintenance of works and the cost of management, in fact all out-of-pocket expenses with regard to the Great Western Company in that year in respect to this canal, was 1,023*l.* That is a charge for the 14½ miles of just over 70*l.* a mile. Now compared with the other canals that you have heard mentioned that is a very low expense indeed. Most ordinary canals spend about 190*l.* or 200*l.* a mile on the cost of maintenance, and the independent canals like the Leeds and Liverpool and the Grand Junction spend on the maintenance of works and all the usual expenses considerably more than that, something like 300*l.* or 400*l.* a mile. But here you have a railway company which is only spending about 70*l.* a mile on a canal 14½ miles long; and I suppose in virtue of that expenditure, because it can only be on the ground of expense of maintenance, they ask the Committee to sanction a toll which has never been sanctioned in respect of any other canal. If you institute another comparison you will see how unfair such a toll would be. This is a toll, not a rate; that is to say, it is not a charge that the trader will have to pay for having his goods conveyed, but it is merely a charge which the carrier will have

to

to pay for the use of the waterway. Your Grace, when the Railway Rates Bills were before Parliament the toll fixed for Class A. traffic on the railway for carriage by the railway companies when they provide the engines and trucks and everything and all the liabilities of carriage, was 0·90*d.*

Mr. *Moon.*] What railway?

Mr. *Whitehead.*] On nearly every railway in the United Kingdom, and I think on the Great Western Railway it was slightly higher, but on the normal railways, 0·90*d.* was the figure for carriage, but this is 0·90*d.* for toll, not even with the conveniences of railway transit, but toll on a waterway which only costs 71*l.* a mile for maintenance in the year. I think those facts show that unless the company can produce something to rebut the inference from those facts those facts will show enough cause why this amendment should be inserted in the Schedule. We should restore to the Schedule that normal figure of 0·50*d.*, and allow this canal to be placed upon the same footing as all ordinary and normal canals in respect of the coal traffic.

Chairman.] What is your amendment?

Mr. *Whitehead.*] The amendment is to leave out "0·90*d.*," on page 12, Scale 3, line 12 and 13, and insert "0 50*d.*" I do not think I need carry it any further. The point is that this differs from a normal canal, and the burden of justifying any difference at all rests with the company; but when you have such a great difference amounting to doubling the charge, then the burden is a very heavy one.

Mr. *Moon.*] It is difficult to answer amendments upon which no evidence is called. My learned friend appears for the Mansion House Association.

Mr. *Whitehead.*] No, for the Mining Association of Great Britain.

Mr. *Moon.*] My learned friend does not seem to be able to get a witness from the district affected by the particular toll to give evidence against it. It is a mere theoretical objection that because 0·50*d.* has been applied to the Leeds and Liverpool system, which is a system 148 miles in length, therefore 0·50*d.* ought to be applied to a canal going through a rural district only 14 miles in length. If your Lordship thinks my learned friend has made a foundation for the amendment I will answer it, but I think he has made no case.

Chairman.] Do you not call a witness?

Mr. *Whitehead.*] I am in the unfortunate position that the witness who should have been called has not arrived, and I cannot call him. I put it in this form, that this differs in principle from the normal figure, and ask you, unless good cause is shown for altering the normal figure, to insert 0·50*d.* in this Schedule as you have in the other.

Mr. *Spicer.*] Does Mr. Whitehead object in page 11 to the 2*d.* on the Stourbridge Extension Canal?

Mr. *Whitehead.*] I have an objection on behalf of the Mining Association upon that; but the Stourbridge Extension is only two miles long, and the Mining Association thought, looking to the short length which the goods would pass over that canal, it will not be worth while to occupy the Committee with an amendment on that part of the Schedule, but we object in principle, and had an amendment down which was withdrawn by Mr. Balfour Browne upon the last sitting of the Committee.

Chairman.] Have you anything to say, Mr. Pelham, upon this?

Mr. *Pelham.*] Yes, your Grace.

Mr. *Moon.*] If your Lordships entertain the amendment I may be heard.

Chairman.] Yes.

Mr. *Pelham.*] The proposals made by the company before me were that the tolls for Class A. were to be 1·50*d.*, and for Class B. 1·75*d.*; it was said by the company that that was only just enough to cover the existing tolls. I went very carefully into the question and they proposed to bring back Section 24 of the 29th and 30th Victoria, which provides that for traffic passing the whole length of the canal the toll shall not exceed three-fifths of the rates charged for the time being for conveyance upon the Great Western Railway between Bridgewater and Taunton. The facts did not justify the Board of Trade putting such a clause into the Schedule, and the toll was cut down to what would under ordinary circumstances cover a fair rate. The proposals of the company of 1·50*d.* and 1·75*d.* were cut down to 0·90*d.* per mile. This would give a loss, according to the calculation supplied by the company, on the year's working, of 171*l.* I may say a canal like this, which has what is called a dead end, without through traffic, must be, of course, in an entirely different position to a canal with through traffic between Birmingham and Liverpool, or Birmingham and London.

Mr. *Richardson.*] What are the present charges?

Mr. *Pelham.*] I do not know that I can exactly tell you.

Mr. *Moon.*] The present toll is about 1*s.* 5*d.*; the proposed maximum toll under the Board of Trade Schedule would be 1*s.* 1½*d.*; so it reduces it on the distance that the traffic travels, 3½*d.*

Mr. *Pelham.*] I may say I had traders before me who argued the question at great length, but who do not appear now, and they raised no objection to the Schedule when I issued it.

Chairman.] We will not call upon you, Mr. Moon, to make any reply.

Mr. *Moon.*] That will conclude the case of the Great Western Company's canals.

MANCHESTER, BURY, AND BOLTON CANAL.

Mr. *Pelham.*] The next is the Manchester, Bury, and Bolton Canal, belonging to the Lancashire and Yorkshire Campany, that is on page 13; the Table is on page 14. I understand no amendments have been put in with regard to that canal.

CANALS OF THE LONDON AND NORTH WESTERN COMPANY.

Mr. *Pelham.*] The section with regard to the canals of the London and North Western Company begin at the bottom of page 14. I believe there are amendments proposed with regard to them.

Mr. *Moon.*] I appear with my learned friends, Mr. Pope and Mr. Littler, for the London and North Western Company.

Chairman.] I see there is an amendment on page 3.

Mr. *Pelham.*] That amendment has been disposed of. Those two on the first page are what I may call through traffic amendments. I think they are withdrawn.

Chairman.] Then we go to page 14 of the Bill.

Mr. *Pelham.*] I was going to suggest that it would be most convenient to deal with the tables of tolls first, leaving the general conditions till afterwards. The first table of tolls applicable to the Huddersfield Canal, and I understand that that is the one on which the principal amendments are suggested, is on page 16, "Maximum tolls and wharfage charges—Scale 1, applicable only to the Huddersfield Canal except as hereinafter mentioned in Scale 2;" and then Scale 2, applicable to the part of the Huddersfield Canal known as Sir John Ramsden's Canal.

Mr. *Moon.*] Perhaps before you turn to the exact form of the amendment it will be desirable that I should state to the Committee what the circumstances are of this canal in respect of which you are asked to settle the tolls. The Huddersfield Canal is one of a number of important canals which are owned by the London and North Western Company, and I am happy to say that in respect of the other canals, such an important canal, for instance, as the Lancaster Canal, we are able to accept the proposal which the Board of Trade have made in their Schedule; but in respect of the Huddersfield Canal we are not able to accept the figures which the Board of Trade propose. The circumstances of the Huddersfield Canal are quite exceptional and quite peculiar, and I think that the Board of Trade have been a little timid in giving effect to the peculiar circumstances of the Huddersfield Canal. It may very well be that the Board of Trade have not been quite anxious to give such figures for the Huddersfield Canal as they might otherwise have done, because they may have thought that if they gave such figures as we hope the Committee will give it might encourage other persons to whom they gave lower tolls to make applications for higher tolls than are proposed; and therefore we have to come to this Committee as a Court of Appeal dealing with the proposals of the Board of Trade to ask them to redress what I think I shall be able to show you would be a very considerable hardship to the London and North Western Company who own this canal, which would be produced by the application of the figures of the Board of Trade Schedule to their traffic. Now I had better at once state what the effect of the Board of Trade figures would be upon the revenue which is derived from tolls upon this canal. I will take the year 1891 as a specimen instance. The total tolls in the year 1891 amounted to 3,441*l.* The Board of Trade Provisional Order would reduce that revenue by 1,498*l.*, or nearly 1,500*l.*, that is to say the total revenue would be reduced by their provisions to the extent of 43 per cent.; 43 per cent. reduction in the total revenue from tolls upon the canal I venture to say is *primâ facie* an unreasonable way of dealing with those tolls. I may, perhaps, refer your Grace to the case of the Leeds and Liverpool Canal last year. The Leeds and Liverpool Canal Company's revenue was a very large one: 140,000*l.* was their total revenue, and the Board of Trade Provisional Order reduced that revenue by 6,000*l.*, that being something like 4 per cent., and we did what we could to prevent even that reduction; but, of course, the reduction was not a very large one, 4 per cent. is not a very large reduction. That was sanctioned by the Committee; and, if any such reduction as that had been proposed by the Board of Trade, of course we should not have been here to argue the question before the Committee. We should have submitted and accepted that reduction; but when you come to 43 per cent., it does seem such a sweeping reduction that I submit it is *primâ facie* unreasonable; and we are, therefore, here to state to the Committee what the circumstances are of the canal and its traffic, and to ask the Committee for some redress of the hardship which by the Board of Trade proposal we shall be put under. The total revenue of the canal which I have given you is, of course, not the net revenue, the expenses of the canal have to be provided; and, apart altogether from any consideration of return upon capital, the expenses of the canal are more than the receipts which are derived from tolls. Upon the canal there are some extraneous sources of revenue, such as the rent of cottages which belonged to the old canal company, and such as water rents receivable from

from millers, and which had to be paid for when the canal was taken over as a separate matter; but, as regards expenses of maintenance of the canal, they are higher than the total tolls which are received from the canal.

Chairman.] Can you give us the expenses?

Mr. *Moon.*] The expenses of maintenance are 4,300*l.* a year about.

(*Maps showing the canal and its connections are handed in.*)

Mr. *Paget.*] What is the length of the canal?

Mr. *Moon.*] The total distance is 24 miles. It starts from Cooper Bridge, where it connects with the Calder and Hebble, coloured brown, and it goes across country to Ashton, where it joins the Ashton Canal, which is coloured brown, and it forms one of the three water routes from the Humber to the Mersey, one of those water routes is shown upon the map, namely, the Rochdale Canal, and is coloured red, running through Todmorden and Rochdale, and so on to Manchester. The other route is the route of the Leeds and Liverpool Canal, which runs through a very rich industrial country, a mining country, and where the traffic upon the canal is very large indeed; it serves various large towns, of which I forget the names, and there is a very large traffic upon that canal. The Huddersfield Canal is the shortest of the three routes going east and west, but the physical difficulties of the Huddersfield Canal are so great that in point of fact it is better for the traffic to go by the other routes than by the Huddersfield Canal route. The canal was not made all at one time, the first portion of the canal which was made was from Cooper Bridge to Huddersfield. Upon the map you see what was formerly Sir John Ramsden's Canal; that canal is what is known as the broad canal, but it is only a branch canal running from Cooper Bridge to Huddersfield, where it connects with the Huddersfield Canal proper, which is a narrow canal, and which was subsequently made across cross country over the high land intervening between Lancashire and Yorkshire, and that is one of the difficulties of this canal. You see Standedge Tunnel marked upon the map, the canal rises up to that summit level to the height of 650 feet, the whole distance of the canal being 24 miles from Cooper Bridge to Ashton. You see the ascent must be very steep, and so it is. There are 51 locks between Cooper Bridge and Standedge, and coming down from Standedge to Ashton I think there are 32 locks. There is a section of the canal on the cartoon. The Huddersfield Canal is shown upon that section in red, and the connecting canals in other colours. The points Cooper Bridge and Huddersfield are shown upon that section, and you see there is a sort of Egyptian pyramid; starting from Cooper Bridge you get to the top at Standedge, and then you go down the other side of the pyramid till you get to Ashton. Of course, having to meet geographical difficulties of that kind, the expense of constructing this canal was great, and the expense of providing water for the canal is great, and there is this peculiar feature about it, that being at a higher level than either of the adjoining canals, either at Cooper Bridge where it joins the Calder and Hebble, or at Ashton where it joins the Ashton Canal, it loses water every time a boat goes off the canal to the adjoining canal, it serves the adjoining canal with water as well as with traffic, and the result is, that this happens. Traffic having to meet with these difficulties there is not any large extent of through traffic, but the ends of the canal between Cooper Bridge and Huddersfield or Slaithwaite, and between Ashton and Mossley, are largely used for the purpose of traffic which comes mainly from the adjoining canals and finds its destination on the Huddersfield Canal, being almost the whole of it traffic that does not pass more than five miles along our Huddersfield Canal. Now, owing to its difficulties, this was never a very prosperous concern, and in 1845 the canal proprietors came themselves to Parliament and got powers to make a railway alongside the canal because they found that no matter what attractions they gave to the traffic they could not induce the traffic to use the canal in preference to other routes; so they went to Parliament and got Parliament to sanction the making of a railway in competition with their own canal, and Parliament gave them the power to make that railway for the purpose of carrying traffic from Huddersfield to Ashton, and so on. In 1847 the canal and the railway became vested in the London and North Western Railway Company. At that time—this is perhaps rather important, particularly in view of what Mr. Pelham has said about canal companies tolls, unlike those of railway companies being for the most part tolls of long standing—the tolls in 1847 were revised by Parliament, and not only were they revised by Parliament, but they were very largely reduced indeed; but upon Sir John Ramsden's canal at Huddersfield there always had been a minimum toll; that is to say, if the traffic made use of any part of that canal it had to pay a certain sum, and that principle of a minimum toll at the end of the canal was adopted by Parliament when the tolls were revised in 1847. It was then seen that, practically, the middle of the canal was being kept up for the purposes of the traffic at the ends of the canal, and it was held, and I venture to submit, fairly held, that that being the case the traffic at the ends of the canal ought to contribute fairly to the maintenance and support of the undertaking as a whole; and inasmuch as you could not by a mileage toll spread over the whole distance unless it were a very high mileage toll, get a revenue sufficient to maintain the canal, an extra payment had to be made by the traffic which only used each end of the canal. That was the principle which was adopted by Parliament, and that is the principle which we are going to ask the Committee to apply in some shape for the future, because the cardinal difficulty of this canal is that the traffic through is very small indeed, but the traffic at each end is very large. The total traffic upon the canal is 170,000 tons, and of that tonnage only 20,000 goes upon the canal more than five miles, and the five miles upon which the traffic does go are the five miles at one end or other of the canal. Now, I want the Committee to look at these diagrams which we propose to put in, which show very graphically the peculiar nature

of the traffic upon this canal (*handing in a set of diagrams*). The top diagram shows the length of the canal, and the middle diagram, Diagram 3, shows the elevation of it; Diagram 4 is the one I want to direct the attention of the Committee to; Diagram 4, taking the left-hand part of the diagram first, shows the traffic in pink which comes from the Ashton Canal on to the Huddersfield Canal, and the columns of pink show the distances which that traffic goes. The blue colour on the right-hand side of the diagram shows the traffic which comes from the Calder and Hebble on to Sir John Ramsden's Canal and the Huddersfield Canal, and you will see, looking at the blue, that the whole of the traffic which comes on to Sir John Ramsden's canal from the Calder and Hebble, with the exception of a very small part of it, goes for the whole four miles, the difference in height between columns 3 and 4. All that passes on to the four mile distance is also shown in the three miles, the two miles, and the one mile distance. So it may be said that the whole of the traffic on Sir John Ramsden's canal travels for four miles. Dealing with the pink colour, you will see that a very large portion of the traffic goes for three miles, and a large portion for four miles. As much as 20,000 tons out of the 70,000 tons that comes from the Ashton Canal, goes for a distance of four or five miles. The difference in height between No. 3 column and No. 4 column shows the amount of traffic which stops at the three miles. The difference in height between No. 3 column and No. 2 column shows the amount of traffic that stops at two miles. Then you will see that besides the pink traffic on the left-hand side, there is some blue traffic, that means traffic going from the Huddersfield Canal to Ashton, traffic going from east to west. Now that shows you pictorially what the traffic is upon this canal, and what we contend is that the traffic must be dealt with as a whole for the purpose of producing the revenue, and for the purpose of maintaining the canal; and if it can only be done by putting a comparatively higher toll upon the traffic which only uses the canal for a short distance, that must be done, it is no good giving us any large toll for the through traffic, which is not the slightest use to us. The Board of Trade have given us in relation to the traffic upon the narrow canal the figure of 0·75*d.* for 10 miles, but that is not of much use to us because the through traffic is so small that we cannot obtain that toll. The traffic does not go; therefore the only traffic upon which it is any use giving us the toll is the traffic using the two lengths of the canal. I venture to think that in their proposals the Board of Trade have left that matter out of sight; they have neglected the principle which Parliament adopted in 1847 of fixing a relatively higher toll upon the short-distance traffic; they have tried to treat this canal as if it were a canal like the Leeds and Liverpool Canal, with a large through route and a traffic that used the through route. They really have not adopted that principle, because the Board of Trade propose, in relation to that part of the canal which was formerly Sir John Ramsden's, a lower scale of tolls than they do in respect of the other part of the canal. But surely if Sir John Ramsden's canal is going to be used as a separate canal from the Huddersfield Canal, it ought to be considered as a canal which is only four miles long, and being considered as a canal which is only four miles long surely the toll applicable to such a canal as the Leeds and Liverpool Canal, which is 142 miles in length, cannot apply. But that is what the Board of Trade have done, they have proposed to give us the Leeds and Liverpool Canal scale, applicable to what is really a small branch canal, and of great accommodation for the traffic, because a very large traffic uses it, which shows it is a great accommodation for the traffic, and uses it at what one would call, in comparison with the tolls in other places, a high toll. At present the tolls which are chargeable and charged in relation to Sir John Ramsden's Canal and the Huddersfield Canal are a minimum of 4*d.* on Class A. and 6*d.* on Class C.; and that 4*d.* and that 6*d.*, of course, are charged upon any traffic which enters the canal, whatever distance the traffic goes along that portion of the canal.

Mr. *Balfour Browne.*] As a fact you charge 3*d.* for coal?

Mr. *Moon.*] My learned friend Mr. Balfour Browne reminds me that in the case of coal coming off the Calder and Hebble we do charge 3*d.*, and not the 4*d.* minimum which we are authorised to charge in our Act of Parliament, but I believe we still charge the 6*d.* which we are entitled to charge as the Parliamentary minimum in respect of Class C., and the other traffic to which the 6*d.* applies. The proposal of the Board of Trade gives us, in respect of Sir John Ramsden's Canal, 0·50*d.* for the whole distance in Classes A. and B. (it is on page 17). Of course it would very largely reduce the sum which we now receive and the revenue that we now obtain, and which we must apply towards the expenses of the canal generally.

Chairman] What is the toll that you take now, comparing 0·50*d.* with what?

Mr. *Moon.*] 0·50*d.* with the all-round 4*d.* That involves us in very considerable loss upon Classes A. and B. for that end of the canal. But we also charge the all-round 4*d.* in relation to the other end of the canal too; that is to say, the Ashton end.

Sir *Richard Paget.*] Do you charge the same at either end of the canal?

Mr. *Moon.*] We charge the same at either end of the canal, the all-round 4*d.*, except for the coal traffic coming from the Calder and the Hebble, which, by agreement, we charge 3*d.* for in order to encourage the traffic. The result of the proposals of the Board of Trade are, on the whole, to cut down Class A. and Class B. from the present receipts, 2,328*l.* on A. and B., to 1,354*l.*; that involves a loss of 919*l.*, just under 50 per cent. Then on Class C., where another large loss occurs, the present tolls are 1,040*l.*, and the Board of Trade propose to give us 498*l.*, the resulting loss being 540*l.*, or rather more than 50 per cent. upon Class C. If your Grace will turn to the amendment that the company have put in, I want to say something about the form of that amendment. It is on page 4. The amendment, as it is before the Committee, proposes something altogether different from the Schedule

Schedule proposed by the Board of Trade; it was arrived at for the purpose of covering what the company's present revenue is, and if adopted by the Committee would have the effect of covering the company's revenue with a margin, if they charged up to the hilt, of about 200*l.* The scheme of it is to adopt the principle which has hitherto prevailed in regard to this canal; that is to say, that for the first four miles (and you will see it in the first column) or any part of it, we should have the power to charge the 4*d.* which we now charge, except in relation to the Calder and Hebble traffic; and that in respect of Class C. we should have the 6*d.* that we now charge in respect of the other classes also, and that for the next 10 miles we should go down to 1*d.* If that were allowed we should cover exactly our present revenue with a small addition. But of course one feels that it is rather a large departure from the principles which have been adopted by the Board of Trade in other Schedules.

Mr. *Balfour Browne.*] Would you cover the 200*l.* even with the limitation?

Mr. *Moon.*] Yes, but it is a departure in principle which the Board of Trade and Parliament have provided with regard to other Schedules, for there is nothing that the Board of Trade look more askance upon than a proposal to charge a minimum distance charge of four miles or 4*d.*, or however else it is put. Therefore we have considered whether we could not, treating ourselves fairly, though it would subject us to a considerable loss, put the figures in a form which would be more acceptable and more in accordance with the principles prevailing in other Schedules, and we have succeeded in doing that, and doing it without altering the scheme of the Board of Trade, introducing a principle which may or may not have come before you, but which the Board of Trade have introduced in other Schedules; that is to say, instead of making the first column 10 miles to make the first, five miles, and the second, five miles.

Chairman.] Two five miles?

Mr. *Moon.*] Two five miles.

Chairman.] That is not here.

Mr. *Moon.*] That is not the amendment; the amendment is much wider, but we considered whether we should seriously ask the Committee to adopt our wider amendment, or whether we should not put before the Committee some figures which, although not so satisfactory to us, because they do not cover our revenue, still figures which we might fairly accept as a compromise of this discussion.

Mr. *Balfour Browne.*] Do you apply 0·50*d.* to the first five miles?

Chairman.] Are you putting in a fresh amendment in the place of the amendment standing on page 4?

Mr. *Balfour Browne.*] Yes.

Chairman.] Do I understand that we are not to think of the amendment on page 4 at all?

Mr. *Balfour Browne.*] No, your Grace. Will you look at Scale No. 1, at Table A., applying to the narrow canal on the junction with Sir John Ramsden's Canal on page 16. Scale No. 1 applies to the canal from Sir John Ramsden's Canal down to Ashton, and you will see that, for the first 10 miles, the Board of Trade propose 0·75*d.*; we propose, instead of 0·75*d.* for the 10 miles, that the 10 miles shall be split up into two distances of five miles each, and that for the first five miles we shall be entitled to charge 1*d.* instead of 0·75*d.* in Classes A. and B.; and we propose to leave the 0·50*d.* for the remainder of the distance as it stands. The result of that will be that we shall charge 1*d.* for the first five miles, and a halfpenny for the second five miles. The Board of Trade propose 0·75*d.* for the 10 miles, that is 7½*d.* upon either calculation,—five miles at 1*d.* and five miles at 0½*d.*, or 7½*d.* The Board of Trade proposal is 10 miles for 7½*d.*; so that we arrive at the same figure as the Board of Trade have done for the length of 10 miles, but we arrive at it in a different way. The traffic only going five miles has to pay more for the support of the canal than the traffic going 10 miles.

Mr. *Pelham.*] There is no minimum distance for that scale.

Mr. *Balfour Browne.*] By the diagram practically no traffic goes the 10 miles.

Mr. *Moon.*] There is not a very large amount of traffic going 10 miles, that is why we think the circumstances of the traffic ought to have regard to the traffic which exists, and not to a problematical traffic upon which we might get an extra five miles at 0·75*d.* if we could, but we cannot. That deals with Scale 1, Classes A. and B. On Class C. we propose exactly in the same way to transmute 0·85*d.* for 10 miles into its equivalent in two columns, and propose, instead of 0·85*d.* for the first five miles, to charge 1·10*d.*, and in respect of the rest of the distance to charge 0·60*d.* We are indeed proposing to reduce the remainder of the distance from the Board of Trade figure of 0·65*d.* The Board of Trade give us 0·65*d.* for any distance after 10 miles. We do not want that, because we cannot charge it, and are quite content to take 0·60*d.* The figures would run, for the first five miles, 1·10*d.*, and for the remainder of the distance 0·60*d.* If you multiply 1·10*d.* by 5 and 0·60*d.* by 5 it produces 8½*d.*, just as the Board of Trade proposal would produce 8½*d.*; the only difference is that we are able to charge the traffic using our canal, and make our revenue instead of having a power which is not of any value to us.

Chairman.] What is the first figure for Classes A. and B.?

Mr. *Moon.*] For Classes A. and B., 1*d.*; instead of 0·75*d.* we shall put 1*d.* striking out 10 miles; and instead of 0·75*d.* for five miles we shall put 1·10*d.*, and 0·60*d.* for the remainder of the distance.

Chairman.] And for the second five miles?

Mr. *Moon.*] 0·50*d.*; and the same upon the remainder of the distance.

Mr. *Pope.*] You first alter 10 into five, then the other figure you alter into 1*d.*, that is for Classes A. and B.

Mr. *Moon.*] That is what we propose as regards the narrow canal. Then as regards Sir John

John Ramsden's Canal, that is Scale 2, upon page 17, in the first column we propose to strike out 0·50*d.* for Classes A. and B. and to put in 1*d.*; to strike out 0·85*d.* and insert 1·25*d.* in Class C.; and then to strike out 1*d.* and to put in 1·20*d.*

Mr. *Balfour Browne.*] There you propose to charge more upon Class C. than upon the other classes, 1·25*d.* as against 1·20*d.*; that is another departure.

Mr. *Moon.*] That is so. The class traffic in Classes 1 to 5 is not of much importance. There is not much of it got, and we take the figure of 1·20*d.* from the Board of Trade figures in relation to the other part of the canal.

Mr. *Balfour Browne.*] You count up the tolls upon everything that goes.

Lord *Clifford of Chudleigh.*] Is the first section divided into two columns of five miles?

Mr. *Moon.*] No, because it is only four miles in length. There is no short-distance column upon Sir John Ramsden's Canal, and therefore it is not necessary.

Mr. *Moon.*] The result of our amendments, if the Committee accept them, will not allow our present revenue to be maintained; we shall not get off scot-free; we are not making the proposal to leave us as we are in receipt of our tolls; but instead of our loss being 1,500*l.*, or 43 per cent. of our receipts, our loss will be 500*l.*, or 14 per cent. of our receipts; and we think if we submit to a reduction of the receipts upon our canal of 14 per cent., the traders are going to get a very considerable benefit out of this Inquiry, or at least, I should not say, "the traders," because you will not find that the opposition to this Schedule comes so much from the traders as from the other canal companies, who want, of course, our tolls to be a little lowered, possibly for the purpose of increasing the tolls which they can charge upon the traffic. Our position as regards the other canals is rather peculiar, because we happen to own the two termini; we happen to own the valuable part of the Huddersfield Canal where the traffic comes to Ashton, to which place the traffic comes to from the other canal. The other canal company, who get a much longer lead than we do, want to get more. The question is whether it is fair that our tolls should be reduced for the purpose of increasing their revenue?

Mr. *Balfour Browne.*] There is no other canal, but the Calder and Hebble, and that has a very short lead indeed. The Corporation of Huddersfield is not a carrier by canal, and they oppose.

Mr. *Moon.*] The Calder and Hebble have a considerably longer lead than four miles, and if the canals at the other end are to be taken into consideration they recognise the fairness of the proposition which my learned friend's clients, the Calder and Hebble, do not seem to do. The position is very much altered; we are making a proposal now which, while preserving a part of our revenue, does very materially reduce ths tolls which we are at present receiving.

Mr. *Richardson.*] Are you going to give any evidence of the amount of traffic when the company bought the canal?

Mr. *Moon.*] I am afraid we have not that information.

Mr. JONATHAN SLINGER, is called in; and, having been sworn, is Examined, as follows:

Mr. *Moon.*

919. WHAT is your position?—I am manager to the Lancaster Canal of the London and North Western Railway, and have charge of all the works there.

920. Have you made yourself acquainted with the circumstances of the Huddersfield Canal?—Yes, of the Huddersfield and other canals of the London and North Western Company, so far as relates to the questions appertaining to the Act of 1888.

921. Do I rightly understand you to say that the Huddersfield Canal is not under your charge?—I have nothing to do with the management or control of it.

Chairman.

922. Where is the Lancaster Canal?—From Preston to Kendal in Westmoreland, 60 miles long, and at the south end between Wigan and Chorley.

Mr. *Moon.*

923. Have you been given the superintendence of all the canals for the purpose of this Inquiry?—I have had to do with all the canals, not the superintendence of them.

924. The superintendence of them for the purpose of this Inquiry?—I have.

Mr. *Moon*—continued.

925. Have you ascertained the particulars of the traffic which passes upon the canal?—I have a diagram or table which I made of the traffic of 1888, but we find that there is a divergence to-day in the traffic from that of 1891.

Chairman.] Why not give us the manager of the canal with which we are dealing, because this gentleman seems to have the general superintendence of all the canals?

Mr. *Moon.*] Yes, your Grace; but he has made himself acquainted with all the circumstances of the canal and the traffic upon it for the purpose of giving evidence here.

Chairman.] The proper person to give evidence is the man having the management of the canal.

Mr. *Moon.*] The books are the witnesses.

Mr. *Pelham.*] This gentleman, Mr. Slinger, gave evidence before me at the Inquiry, and he is fully acquainted with all the circumstances of the case.

Mr. *Pope.*] We have no actual general manager of the Huddersfield Canal. This gentleman being accustomed to the canal books in connection with the Lancaster Canal, has been appointed to

to take out the figures from the Huddersfield Canal books.

The Earl of *Lauderdale.*] Is there any official in charge of the Huddersfield Canal?

Mr. *Pope.*] No.

Sir *Richard Paget.*] His evidence will be only of a secondary character.

Mr. *Pope.*] It is only evidence derived from the books so far as these Bills are concerned.

Mr. *Moon.*

926. There will not be any question about the facts. (To the *Witness.*) The Huddersfield Canal is 24 miles in length?—Yes.

927. And the broad canal, Sir John Ramsden's canal, is nearly four miles in length?—Yes.

928. Sir John Ramsden's canal was made at the end of the last century, I believe?—One hundred and twenty years ago.

929. And subsequently the narrow canal was made?—One hundred years ago.

930. What is the total rise and fall on the broad and narrow canals?—The narrow canal rises to a height above Ordnance datum of 650 feet. Then it pierces a hill over which considerable traffic had to go, there is no tow-path through the tunnel, but there is a tunnel of three miles long; there are 74 locks upon the canal, averaging a lift or loss in each lock of 10 feet 6 inches, and there are nine locks upon the broad canal with about six or seven feet lift.

931. Is there a towing-path through the tunnel?—In the Scout Tunnel there is a towing-path for 200 yards, the tunnel through the summit is three miles in length, and the Pool 3½ miles, and no traffic is loaded or discharged upon it, any traffic on it goes through up one lockage and down the other.

Lord *Hawkesbury.*

932. How do you work through the tunnel?—By legging it, there being an attendant through the tunnel and an attendant with the horse over the hill.

Mr. *Moon.*

933. Is the result of a difficulty of that kind to diminish the through traffic and bring it down to a very low point?—Of course nobody would think of taking traffic through a mountain railway.

934. As to the water supply to the canal, you have a number of reservoirs?—About 10.

935. From which you obtain water for the canal?—Yes.

936. The through traffic being so slight you have to draw down for the short-distance traffic water from a considerable distance?—Certainly.

937. Does every boat with traffic passing through your canal take a lock of water which will benefit other canals?—Invariably, in the Ashton Canal, that is the narrow canal, the lowest lock has a drop of 11 ft., 3 in., and allowing for the displacement by the boat the loss of water is 40,000 gallons; that is 80,000 gallons up and down for one boat. The broad canal is rather less, about 38,000 gallons.

938. An empty boat takes a lock of water as well?—Yes.

Mr. *Moon*—continued.

939. So that each boat as a fact takes two locks of water which benefit the other canals?—About 80,000 gallons both up and down.

940. The canal below gets not only the toll but the water as well?—Yes, that is so.

941. Whereas you get the toll minus the water?—Yes.

942. Have you extracted the figures from the books which show what the result would be of the Board of Trade proposal?—I have had returns made to me and I have gone into the matter personally and ascertained the figures myself from all the parties employed by the company.

943. It has been done in so much detail that it shows the tonnage?—Yes.

Mr. *Whitehead.*] Is this table put in on behalf of the company.

Mr. *Pope.*] It has been prepared with a view to an amendment which is now abandoned, therefore column 2, must be struck out, but the other figures stand.

Mr. *Moon.*

944. Striking out the second column No. 2, does your table show what your actual receipts were for the 12 months of 1891, and what your receipts would be if the tolls proposed by the Provisional Order were applied?—Yes, the actual tolls in 1891 were 3,441*l.* 8*s.* 7*d.*, and under the Schedule of the Bill the tolls on the narrow canal would be 1,156*l.* 1*s.* 1*d.*, and on the broad canal 787*l.* 1*s.*, making together 1,943*l.* 2*s.* 1*d.*, showing a loss of 1,498*l.* 11*s.* 5*d.*, with a possible margin of 4*s.* 11*d.*

945. That shows that the total tonnage is 170,000 tons on that same table?—Yes.

946. Of that 119,640 tons is in Class A.?—That is so.

947. And 37,000 tons in Class C.?—Yes.

948. The second schedule of the table put in shows in detail the different tonnages of each article in each class?—The articles and how the Bill affects the articles.

Mr. *Balfour Browne.*] Again the second set of columns are struck out.

Mr. *Moon.*

949. Yes, the second column goes. (To the *Witness.*) That has been gone into for the purpose of getting the actual result, but I see in Class C. there are one or two articles included, of which only 50 to 60 tons passed. That is upon the table?—Yes.

950. Before 1847 do you know what the tolls were upon the broad canal?—Originally they were 8*d.* on Class A., and 1*s.* 4*d.*, I believe, on the other traffic; or we may call it Class A., allowing for the difference in classification.

951. Was that for any distance?—It was brought down to 4*d.* by the Act of 1847, because the London and North Western Company when they took it over were cut down to half. Coal and coke were two items on which there was no traffic, but, as a rule, Class A. and Class B. were 4*d.* and the other classes 6*d.*

Mr. *Pope.*

952. It was reduced to that from the original tolls?—It was reduced to that from 8*d.* for coal, and 1*s.* 4*d.* for the other. Formerly there used to be a 1*s.* 6*d.* rate for the tunnel.

Mr. *Spicer.*

953. What was the actual toll before 1847 for Classes A. and B.?—I am quite unable to say what the actual toll was.

954. I merely ask the rate?—The maximum was 8*d.* for Classes A. and B.; and 1*s.* 4*d.* for the others. I am taking it generally; several classes in A. and B. were 1*s.* 4*d.*, and some 8*d.*

955. When the London and North Western Company took the canal over it was reduced to 4*d.* for Classes A. and B.?—Yes, it was put in this shape: that Classes A. and B. were one penny, with a minimum of four miles, the other classes were 1½*d.*, with a minimum of four miles; then there was another stage, with some connection with the tunnel, going nine miles, the classes were 1½*d.* a mile for that nine miles down to a penny a mile; so that for 24 miles upon both canals they got 2*s.* and that is one penny a mile for the whole distance; that is a mixed affair.

Earl of *Lauderdale.*

956. Do you know the actual amount of tolls realised in 1847?—No, I do not know anything of the traffic or the actual toll.

Mr. *Moon.*

957. The canal was acquired by the company in 1847?—Yes.

958. Therefore what happened before 1847 you have no means of knowing, have you?—I do not think the company have; I have none.

Mr. *Richardson.*] We want to know what was the result of 1847 and 1848 after the first year of the London and North Western Company's working.

Mr. *Moon.*

959. Have you been able to find out the result of the first year's working after the company took it?—No.

960. It is rather ancient history, 50 years ago?—I think from what I see it is mixed up with the accounts of the railway in such a way as to be an infinite trouble to dissect.

961. It amounts to this: that when the canal was in independent hands the toll was a maximum of 8*d.*?—No, the authorised tolls were 8*d.*

962. As soon as it passed into the railway company's hands Parliament intervened and said the toll for the future should not be more than 4*d.*?—Yes, that is so.

963. Has it remained at 4*d.* since that?—So far as the power is concerned.

Mr. *Balfour Browne.*] From the Board of Trade Return it appears that 4*d.* was not to be the maximum, but the minimum, I think you are misleading him.

Mr. *Pope.*] Mr. Slinger explains that it is a penny a mile with a minimum distance of four miles, it means 4*d.* for any distance.

Mr. *Balfour Browne.*] It does not, but if it goes the whole 24 miles it means 2*s.*

Mr. *Pope.*] I am talking of Sir John Ramsden's Canal.

Mr. *Moon.*

964. You told me that the power remained the same?—Yes, that is so.

965. Have you, in all cases, charged up to your maximum, or have you allowed coal traffic from the Calder and Hebble to pass up for 3*d.*?—Coal traffic from the East, that is the Calder and Hebble, goes no further than the tunnel, but there also the tunnel is charged three-farthings per ton per mile with a minimum of 3*d.*, so that practically it is 0·75*d.* with a minimum of 3*d.*

966. Is there a large traffic at both ends of the canal as shown on the diagram?—What traffic there is at both ends——

967. Is your diagram a translation of the particulars of the traffic which is shown as a whole upon the Table which you have put in?—That is accurately carried out.

968. Of course the diagram will speak for itself, but, speaking generally, at the Huddersfield end of Sir John Ramsden's canal, does almost all the traffic pass for more than three miles?—Nearly all the traffic.

969. Nearly all the traffic between three and four miles?—Yes.

970. At the other end what is the traffic, is it mainly coal traffic, or is part of it grain traffic?—A considerable portion of Class C. is also coal traffic.

971. Does a great deal of it from the diagram seem to pass for distances between three and five miles?—Yes, that is so.

972. And of course very little traffic passes through or over the mountain?—Very little; between 3,000 and 4,000 tons is the normal thing.

973. If you are to get a revenue enabling you to keep up your canal, must it not be obtained from the traffic you have at the two ends?—Necessarily.

974. Have you ascertained what amount of loss the figure proposed by the Committee this morning would inflict upon the company?—You mean the amendment which they have just put in.

975. Yes?—Not definitely, but by way of estimate; there may be on verification some variation, but I think about 500*l.*

976. Is that, practically, the amount, subject to a variation of a shilling or two, or a pound or two?—I cannot go so close as that.

977. How close can you go?—Roughly, about the amount you have given.

978. Roughly, about 500*l.*?—Roughly, about 500*l.*; it would be reduced to 500*l.*

979. Within 25*l.*, more or less?—I do not know about that; I cannot say.

980. Anyhow you have the particulars enabling you to ascertain the loss?—Yes, if we had time to do it.

981. Within the time at your disposal you have ascertained approximately that that is the figure?—Yes.

Chairman.] You make the loss 1,400*l.*?

Mr. *Pope.*] That is on the Board of Trade Schedule; what we propose is 900*l.* better than that, say 1,000*l.*

Earl of *Lauderdale.*] That is as compared with 1891?

Mr.

Mr. *Pope.*] Compared with 1891.

Mr. *Moon.*

982. Have you taken out the traffic at the end in order to show how much traffic stops at a distance shorter than a mile, and how much goes between one mile and two miles, and between two miles and three miles, and so on?—Yes.

983. Take the east end of the canal first, and read to the Committee what amount of traffic goes in each distance?—The east end, Sir John Ramsden's end, two miles and under, 8,675 tons; over two miles and up to three miles, 16,397 tons; over three miles and up to four miles, 49,159 tons; that is, four miles and under, 74,251 tons total.

984. That is one end; now the west end in the same way?—The west end, one mile and under, 6,381 tons; over one mile and up to two miles, 16,803 tons; over two miles and up to three miles, 23,251 tons; over three miles and up to four miles, 196 tons; that is, four miles and under, total, 46,631 tons, and adding the east and west ends together the total for four miles and under is 120,862 tons, out of a total traffic of 170,139 tons.

Mr. *Moon*—continued.

985. And at the Huddersfield end, out of 74,000 tons, which passes for distances less than four miles, 49,000 tons passes between three and four miles?—That is so.

986. At the other end 23,000 tons out of 46,000 tons, or half, passes over two miles and up to three miles?—Yes.

987. What year is this?—One thousand eight hundred and ninety-one.

[*The following Tables are delivered in*]:

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 1) BILL, 1894.

London and North Western Railway Company.

HUDDERSFIELD CANAL.

STATEMENT showing—

(1.) **Traffic and Actual Toll Receipts for Twelve Months of 1891.**

(2.) **Effect on Toll Receipts taking the same Traffic at the Maximum Tolls proposed in the London and North Western Schedule deposited October, 1893.**

(3.) **Effect on Toll Receipts taking the same Traffic at the Maximum Tolls proposed in the Canal Tolls and Charges Provisional Order (No. 1) Bill, 1894.**

(1.) Traffic and Actual Toll Receipts for Twelve Months of 1891.			(2.) Maximum Tolls proposed in London and North Western Schedule of October, 1893, applied to Traffic of 1891.			(3.) Maximum Tolls proposed by Provisional Order Bill, Session 1894, applied to Twelve Months' Traffic of 1891.				
				Compared with Actual Total Receipts of 1891.		Broad Canal.	Narrow Canal.	Total Tolls.		
Class.	Weight.	Amount of Actual Tolls received.	Amount of Tolls.	Loss.	Margin.	Amount of Tolls.	Amount of Tolls.	Amount.	Compared with Actual Total Receipts of 1891.	
	Tons.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
A	119,640	2,092 10 9	2,117 13 11	—	25 3 2	307 8 10	885 11 8	1,193 — 6	-744 50 3	—
B	8,305	181 4 11	211 18 1	5 — —	35 8 2	12 1 10	91 4 9	108 6 7	77 18 4	—
C	37,175	1,040 1 10	1,047 18 1	4 6 3	12 2 6	336 10 4	162 8 5	[illegible] 19 9	511 3 1	—
1	509	18 13 11	18 [illegible]	11 11		— 4 1	12 1 6	12 5 7	3 [illegible] 4	—
2	112	2 16	[illegible]			1 12 8	—	1 12 8	1 3 4	—
3	2,937	77 11	78 6 4	—	— 12 4	42 12 —	5 4 10	47 16 10	80 1 10	— 4 8
4	—	—	—	—	—	—	—	—	—	—
5	395	8 4 9	8 5 —	—	— — 10	4 14 3	— 2 11	4 17 2	5 7 3	— — 3
Exceptional	856	23 3 —	23 3 —	—	—	21 11 —	1 12 —	23 3	—	—
	170,139	3,441 8 7	3,501 17 5	9 18 2	73 7 —	787 1 —	1,156 1 1	1,943 2 1	1,498 11 5	4 11

	£. s. d.
Loss - -	9 18 2
Margin - -	73 7 —

	£. s. d.
Loss - -	1,493 11 5
Margin - -	4 11

LONDON AND NORTH WESTERN RAILWAY COMPANY—*continued.*

HUDDERSFIELD CANAL.

Class	ARTICLE.	(1.) Traffic and Actual Toll Receipts for Twelve Months of 1891. Weight.	(1.) Amount of Actual Tolls received.	(2.) Maximum Tolls proposed in London and North Western Schedule of October 1893, applied to Traffic of 1891. Amount of Tolls.	(2.) Compared with Actual Toll Receipts of 1891. Loss.	(2.) Compared with Actual Toll Receipts of 1891. Margin.	(3.) Maximum Tolls proposed by Provisional Order Bill, Session 1894, applied to Traffic of 1891. Broad Canal. Amount of Tolls.	(3.) Narrow Canal. Amount of Tolls.	(3.) Total Toll. Amount.	(3.) Compared with Actual Toll Receipts of 1891. Loss.	(3.) Compared with Actual Toll Receipts of 1891. Margin.
		Tons.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
A	Coal	91,333	1,597 9 11	1,620 14 8	—	23 4 9	234 5 4	794 7 2	1,028 12 6	568 17 5	—
	Coke	850	10 12 6	10 17 6	—	– 5 –	5 15 2	– 11 3	6 6 5	4 6 1	—
	Gas tar	6,024	105 4 6	105 4 6	—	—	23 1 9	25 2 –	48 3 9	57 – 9	—
	Gravel (shale)	1,480	30 16 8	30 16 8	—	—	—	23 2 6	23 2 6	7 14 2	—
	Limestone	106	1 19 3	1 19 3	—	—	—	1 6 7	1 6 7	– 12 8	—
	Manure in bulk	84	1 8 4	1 8 4	—	—	– – 8	1 – 4	1 1 –	– 7 4	—
	Night soil	320	4 – –	5 6 8	—	1 6 8	—	1 – –	1 – –	3 – –	—
	Sand	3,577	76 10 11	76 17 8	—	– 6 9	5 17 2	35 12 10	41 10 –	35 – 11	—
	Tap or mill cinder ashes	15,866	264 8 8	264 8 8	—	—	98 8 9	1 9 –	99 17 9	164 10 11	—
		119,640	2,092 10 9	2,117 13 11	—	25 3 2	367 8 10	833 11 8	1,251 – 6	841 10 3	—
B	Bricks, common	6,370	128 19 8	154 12 9	—	25 13 1	11 17 2	61 15 9	73 12 11	55 6 9	—
	Stone, building	815	28 11 11	38 7 –	—	9 15 1	– 4 8	22 9 –	22 13 8	5 18 3	—
	Lime	520	8 13 4	8 13 4	—	—	—	3 5 –	3 5 –	5 8 4	—
	Pig iron	600	15 – –	10 – –	5 – –	—	—	3 15 –	3 15 –	11 5 0	—
		8,305	181 4 11	211 13 1	5 – –	35 8 2	12 1 10	91 4 9	103 6 7	77 18 4	—
C	Copper ore	989	24 14 6	24 14 6	—	—	12 5 2	—	12 5 2	12 9 4	—
	Cutch	61	1 10 6	1 10 6	—	—	– 15 2	—	– 15 2	– 15 4	—
	Dyewoods, logwood	5,683	142 1 6	142 1 6	—	—	70 8 11	—	70 8 11	71 12 7	—
	Flour	1,955	88 1 4	93 16 6	—	5 15 2	5 4 6	46 2 7	51 7 1	36 14 3	—
	Grain	17,733	496 15 11	497 – 4	3 16 10	4 1 3	129 14 2	92 14 7	222 8 9	274 7 2	—
	Iron, scrap	350	19 13 10	21 6 6	—	1 12 8	—	12 9 10	12 9 10	7 4 –	—
	Oxide of iron	456	11 8 –	11 8 –	—	—	1 10 9	4 2 3	5 13 –	5 15 –	—
	Pitch	80	1 6 8	2 – –	—	– 13 4	– 19 10	—	– 19 10	– 6 10	—
	Potatoes	483	12 1 6	12 1 6	—	—	5 19 9	—	5 19 9	6 1 9	—
	Rags	550	13 15 –	13 15 –	—	—	6 16 4	—	6 16 4	6 18 8	—
	Sanitary tubes	56	1 8 –	1 8 –	—	—	—	– 7 11	– 7 11	1 – 1	—
	Sulphate Ammonia	380	9 10 –	9 10 –	—	—	4 14 3	—	4 14 3	4 15 9	—
	Timber	8,649	217 15 1	217 5 9	– 9 5	– – 1	98 7 6	6 6 3	104 13 9	113 1 4	—
		37,425	1,040 1 10	1,047 18 1	4 6 3	12 2 6	336 16 4	162 3 5	498 19 9	541 2 1	—

LONDON AND NORTH WESTERN RAILWAY COMPANY—*continued.*

HUDDERSFIELD CANAL.

(1.) Traffic and Actual Toll Receipts for Twelve Months of 1891.				(1.) Maximum Tolls proposed in London and North Western Schedule, of October 1893, applied to Traffic of 1891.			(3.) Maximum Tolls proposed by Provisional Order Bill, Session 1894, applied to Traffic of 1891.				
							Broad Canal.	Narrow Canal.	Total Toll.		
Class.	ARTICLE.	Weight.	Amount of Actual Tolls received.	Amount of Tolls.	Compared with Actual Toll Receipts of 1891.		Amount of Tolls.	Amount of Tolls.	Amount.	Compared with Actual Toll Receipts of 1891.	
					Loss.	Margin.				Loss.	Margin.
		Tons.	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*	£. *s. d.*
1	Casting	20	– 10 –	– 10 –	—	—	—	– 4 –	– 4 –	– 6 –	—
	Cotton	489	15 3 11	14 12 –	– 11 11	—	– 4 1	11 17 6	12 1 7	3 2 4	—
		509	15 13 11	15 2 –	– 11 11	—	– 4 1	12 1 6	12 5 7	3 8 4	—
2	Currants	112	2 16 –	2 16 –	—	—	1 12 8	—	1 12 8	1 3 4	—
3	Goods, unspecified	2,917	77 4 –	77 16 4	—	– 12 4	42 12 –	5 – 10	47 12 10	29 15 10	– 4 8
	Straw	20	– 10 –	– 10 –	—	—	—	– 4 –	– 4 –	– 6 –	—
		2,937	77 14 –	78 6 4	—	– 12 4	42 12 –	5 4 10	47 16 10	30 1 10	– 4 8
5	Empty casks, &c.	325	8 4 2	8 5 –	—	– – 10	4 14 3	– 2 11	4 17 2	3 7 3	– – 3
Exceptional	Sulphuric acid	886	23 3 –	23 3 –	—	—	21 11 –	1 12 –	23 3 –	—	—

HUDDERSFIFLD CANAL.

STATEMENT showing WEIGHT of TRAFFIC in 1891 passing Four Miles and under.

WEST END (principally to and from MANCHESTER, SHEFFIELD, and LINCOLNSHIRE CANAL).

	Tons.
One mile and under	6,381
Over one mile and up to two	16,803
Over two miles and up to three	23,251
Over three miles and up to four	196
Four miles and under	46,631

EAST END.—BROAD CANAL (principally to and from CALDER and HEBBLE CANAL).

	Tons.
Two miles and under	8,675
Over two miles and up to three	16,397
Over three miles and up to four	49,159
Four miles and under	74,231
TOTAL, four miles and under	120,862
TOTAL traffic on Canal	170,139

Cross-examined by Mr. *Balfour Browne.*

988. Who gave you all this information?—I got a good deal of it from personal inspection, then from the engineers, and from information with regard to the contents of the lockage. May I be permitted to say that on that point I had in 1889 the particulars required by the Board of Trade got out under my own direction and supervision, and it is simply a confirmation of what I received from the engineers in confirmation of my own observations, and the particulars I obtained in that way.

989. I do not think you quite follow me. As to this Table which you have put in with reference to the amount of traffic carried one mile and under, and so on; where did you get all that?—I got it from the figures furnished to me from the separate agents.

990. What agents?—Separate agents.

991. Who are they?—An agent at Cooper Bridge, another at Ashton.

992. Are they agents of the London and North Western Company?—Yes.

993. They supplied you with figures, and you come and give the result?—And from the local people in charge of the canals.

994. Before you were put upon this job for the purposes of the Act of 1888, as you said, you had nothing to with this canal at all?—No.

Mr. *Balfour Browne*—continued.

995. And, practically, you do not know anything about it, except what you have ascertained from the books, or from personal experience?—Simply as a canal expert I went into it.

996. This map in blue indicates the canal from end to end?—Yes.

997. Is that the London and North Western Railway running alongside it the whole distance?—Yes, alongside it, but not on the same level.

998. I did not say that. I said alongside it?—Yes.

999. And practically serving from end to end exactly the same district?—Yes, nearly the same district.

1000. Just follow me. Suppose I had a ton of traffic to send from Huddersfield to Liverpool, if it goes by canal it is only carried over the Huddersfield Canal a distance of 18 miles?—Twenty miles.

1001. It would only pass over the London and North Western Canal for a distance of 20 miles?—Yes, just at the foot of the hill.

Chairman.

1002. That 20 miles being from Huddersfield to where?—Huddersfield to Ashton.

Mr. *Balfour Browne.*

1003. Then you hand the traffic over to the Ashton Canal?—Yes, which goes for 6¾ or 7 miles to Manchester.

1004. Follow it on?—Then either to the Ship Canal or to the Bridgewater Canal.

1005. Then it goes over the Bridgewater Canal and ultimately into the Mersey?—Yes.

1006. If you got it for that 20 miles you would only get the profit of toll takers, would you not?—On the canal.

1007. The profit of the carrier would go into his own pocket?—Certainly.

1008. Just take that same ton of traffic carried over the London and North Western Railway, from Huddersfield to Liverpool you would carry it the whole way?—Yes.

1009. The London and North Western Company would get for the whole distance the profit not only as owners of the route but as the carriers as well?—Precisely, that is true.

1010. Therefore there is an obvious inducement to get the traffic on to the railway for that long lead?—So far as that is concerned there is.

1011. And I may take it the other way. Just suppose there is anything going from Huddersfield to the east, how far could you carry it to the east by rail?—As far as Leeds.

1012. How far is that by rail?—Fifteen miles, I think.

1013. Then do not you have running powers from Leeds into Hull?—I believe we have.

1014. So that if you got a ton of traffic to carry by canal from Huddersfield, you would part with it in four miles at Cooper's Bridge?—Yes.

1015. And then it would be carried by the Calder and Hebble and ultimately by the Aire and Calder, and the River Ouse to Hull?—Yes.

1016. But if you got it by railway you would carry it on your own line to Leeds, and by running powers to Hull?——

Mr. *Pope.*

1017. The only profit is to Leeds?—I am not certain of the number of miles to Leeds; but you are quite right in principle.

Mr. *Balfour Browne.*

1018. Is it not the fact that the traffic has fallen off on the Huddersfield Canal owing really to the competition by railway, and not to the difficulties of the route?—Are you speaking with respect to both sides of Huddersfield?

1019. Yes. I am not distinguishing them; my learned friend Mr. Moon did not?—So far as the eastern side is concerned, there may be something in it; but so far as the western side is concerned the inherent difficulties of the canal route stifle any traffic, and must kill it.

1020. I will come to that immediately, but with regard to one side, the eastern side, there is something in it?—I think so.

1021. Is it not the fact that there is a good deal in it?—To the extent of what we reduce it from 4*d.* to 3*d.*

1022. I know that; but is it not the fact that, with the exception of the reduction of the 4*d.* to 3*d.*, you have, upon all classes of traffic, charged an all-round toll of 4*d.* upon the Huddersfield Canal?—No; we are under the maximum pretty considerably, I think ¾ per cent.

Mr. *Balfour Browne*—continued.

1023. Is it not the fact that upon the broad canal you have invariably charged 4*d.*, with the exception of coal, 3*d.*?—Fourpence and 6*d.*

1024. For Class C.?—Yes.

1025. Ever since 1847 have you not charged those rates?—Speaking broadly, it is so.

1026. Is it not a fact that at the same time that you have continued to charge those, I may say exorbitant tolls upon the canal, you have reduced the railway rates repeatedly?—I am not able to speak to that.

1027–8. That is the worst of not having somebody to deal with it who knows about the railway. Now let me ask you this. Suppose a trader upon your canal had to complain of the toll, who would he write to?—He would get a reply from the secretary of the company.

1029. Unlike other companies you do not have any real manager of this canal as a canal?—There is no manager specially devoted to it.

1030. So when we wanted a reduction of tolls we should have to apply to the company that has at the same time the fixing of the railway rates?—Yes.

1031. With regard to the inherent difficulties of this canal, this map only shows two of the east and west routes?—There is the Leeds and Liverpool Canal, which is a circuitous route, and an easier route, and there is the Trent and Mersey, which I think is out of the question.

1032. We will deal with the three that my learned friend, Mr. Moon, mentioned, the Leeds and Liverpool Canal is not shown upon the map, because it is so circuitous that it goes outside of it?—Yes, it is an easier route.

1033. But it is much longer?—Yes.

1034. Can you give me the relative distance of your route as compared with the Leeds and Liverpool Canal route?—Our route is up a hill and down a hill, and other people get the traffic.

1035. My learned friend, Mr. Moon, said that the Leeds and Liverpool Canal was 140 miles in length?—It is not so much as that; I think about 130 miles.

1036. Between the same points, what is the distance by your canal?—I cannot give you the exact distance. It is shown on the map 150 miles.

1037. No, that is from Hull to Liverpool. From Leeds to Liverpool by the Leeds and Liverpool Canal is 130 miles?—I will take your figure, whatever it is.

1038. Yours is much the shorter route?—Yes, it goes through the hills.

1039. With regard to Rochdale, the Rochdale route is shown upon the map, and it is made up partly of the Calder and Hebble and partly of the Rochdale Canal; what is the distance from Cooper Bridge to Manchester by that route?—The Rochdale Canal does not connect at Cooper Bridge.

1040. I said it was made up partly by the Rochdale Canal and partly by the Calder and Heble; a boat can go from Cooper Bridge, *viâ* the Rochdale Canal, to Manchester, how many miles does it travel?—Thirty-four from Sowerby Bridge

Mr. *Balfour Browne*—continued.

Bridge to Manchester, and 13 miles from Sowerby Bridge to Cooper Bridge, within a mile or so.

1041. Unfortunately you are wrong. I am told it is 33 miles from Manchester to Sowerby Bridge, and nine miles from Sowerby Bridge to Cooper Bridge?—Very well.

1042. The total distance from Cooper Bridge to Manchester, by your route, is what as compared with that 42 miles?—I have not the exact figures.

1043. Cannot you tell me the distance from Manchester to Ashton?—Yes, I can tell you that; from Manchester to Ashton I think it is just under seven miles, six miles odd.

1044. If you add six or seven miles to your 24 that makes 30 or 31?—Yes.

1045. That is 31 by your canal, as against 42 by the Rochdale Canal?—Yes.

1046. Are both the Leeds and Liverpool and the Rochdale routes independent of railawy influence?—They are.

1047. Is not it the fact that at the present time a very large through traffic is done on those canals?—Yes, some traffic, at all events.

1048. A large traffic?—I may remind you that the boats on the Rochdale Canal and the Leeds and Liverpool Canal are wide boats and do not need to tranship, the fact of the break of canal at Huddersfield from the broad short canal to the narrow locks necessitates transhipment, or else they use boats carrying only 20 to 24 tons throughout.

1049. Have you heard that long ago the Aire and Calder was a very small canal, only suited for narrow boats?—The Aire and Calder was formerly a river, but has since been made a navigable canal.

1050. Are you aware that it has been reformed again and again so as to be able to admit large boats?—Yes.

1051. Why should not the Huddersfield Canal be remodelled too?—You mean, make an Aire and Calder navigation of it? Does any sensible man suggest such a thing?

1052. The Aire and Calder has been made suitable for a large class of traffic, because the Aire and Calder is an independent canal. If this had been an independent canal would not sensible men have tried to suit it for through traffic, it being the shortest route?—If the Aire and Calder had been under railway influence they would have developed it just the same, I have no doubt.

1053. You say there are physical difficulties, and that one of them is that boats have to be legged through the Standedge Tunnel. Are there not various tunnels on other canals through which the boats have to be legged?—Until recently the difficulties in the tunnel itself——

Chairman.

1054. The learned Counsel asked you whether there were not other canal tunnels through which boats had to be legged?—Yes, there is one on my own canal.

Mr. *Balfour Browne.*

1055. What is the length of that?—A quarter of a mile.

Mr. *Balfour Browne*—continued.

1056. There are other canals in the Midland Counties much longer than that which are legged through, are there not?—Yes.

1057. Is there not this great difficulty about getting through this Standedge Tunnel, has not it been shut up for six months by your company?—I believe that for 12 months it has been in process of repair.

1058. You do not expect much traffic if it is shut up for six months?—It may be better able to carry on the traffic after the repairs are done.

1059. What I put to you is that the canal has been shut up not for works in connection with the canal, but for works in connection with the railway tunnel?—The railway tunnel has been going on for some time.

1060. The canal tunnel has been shut up for six months, and now they have given notice they are going to keep it shut up for another six months?—I do not know about another six months.

1061. Do you know that frequently it has been shut up before for long periods?—It has been closed in time of drought; it has been frequently closed in dry weather. I have known the Leeds and Liverpool Canal to be similarly closed for six weeks and two months together.

Chairman.

1062. We are not dealing with the Leeds and Liverpool Canal; we are dealing with this Huddersfield Canal. The question is whether this particular canal that we are speaking of has been frequently closed before?—Yes, it has been closed, but not for any lengthened period.

1063. But frequently?—In time of drought only that I know of, or for repairs.

Mr. *Balfour Browne.*

1064. And for long periods?—In time of ice, for a month or two.

1065. Now, do you know that upon the Leeds and Liverpool Canal they have ice-boats?—They are not used in severe frost; they are not used except when it is practicable to use them.

1066. Whenever the frost is light, are not those ice-boats used for the very purpose of breaking-up the ice and allowing the traffic to go on?—Precisely, in the places where it is profitable to do it, and only there.

1067. Are there ice-boats at all on this canal?—There is a difficulty in working ice-boats through the lockages and on the narrow cannl.

1068. There are no ice-boats?—The ordinary boats break the ice when needed.

1069. There are no ice-boats on, as I understand, this canal as there are on the Leeds and Liverpool Canal?—No

1070. Have you also, in order to facilitate the traffic, been removing some of those things that work the traffic: for instance, a crane at the yard at Ravensthorpe; has that been removed?—I heard of that three or four years ago; it was a small matter; I am unable to give the details now; it appeared to me that there was nothing in it.

1071. It is about two years ago that the crane was removed from the goods yard?—That was at Huddersfield.

1072. At the Huddersfield Basin I am told?—

Mr. *Balfour Browne*—continued.

I took it to be that it was removed because it was not used. The Aire and Calder have a warehouse of their own and they get the benefit of it.

1073. In consequence of that, has not the traffic which was formerly done by the canal gone on to the railway?—That I do not know.

1074. You have given my learned friend some figures which I understand were taken from the books; I want you to give me a few more figures. The amount of the actual tolls received in the year 1891 was 3,441*l.*, what were the other receipts of the company in connection with the canal?—There was a sum for water of about 2,600*l.*

1075. You received from the sale of water 2,600*l.*?—Yes, at that time, but since then through the operation of a Parliamentary enactment it has been reduced to 1,200*l.*

1076. Do you think that the sale of that large quantity of water may account for the canal being stopped in times of drought?—It was not the sale of it, it was the use of it. It was an obligation upon the company which the company took over to allow the adjacent landowners to put pipes in for condensing water on the condition that they put the water back again. It has come down now to 1,200*l.*

1077. Besides that power, under another Act, you sell water not for condensing purposes at all. Did not you, before you got the Act of Parliament at all, sell water, and did not the Act of Parliament legalise the sale?—I am not thoroughly acquainted with that just now; I have not gone into that question.

1078. Besides the 2,600*l.* from water, which you say is now 1,200*l.*, what are the other receipts?—There are some rents in Marchester, a few hundreds of some rents from property vested in the company.

1079. How much do you receive from those rents?——

Mr. *Moon.*] My learned friend is referring to property in Manchester which the railway company had to pay for when they purchased the canal. It has nothing to do with the tolls and nothing to do with income received upon capital invested in the canal.

Chairman.] But it is money put into your pocket in consequence of having bought the canal?

Mr. *Moon.*] No; in consequence of having bought property in Manchester; accidentally it was with the canal.

Chairman.] It is part of what you got when you bought the canal; you would not have got that unless you had bought the canal.

Mr. *Balfour Browne.*

1080. (To the *Witness.*) Can you give me the total receipts, from all sources, distinguishing what the sources are?—I have before me the details for 1888.

Chairman.

1081. I thought we were now talking with 1891?—The rents from year to year would be very nearly the same. I am afraid I must ask you to take the figures for 1888.

Mr. *Balfour Browne.*

1082. I have the figures before me for 1888 Am I right in supposing that the tolls in that year were 3,931*l.* as against the 3,441*l.* in 1891; is that right?—Not exactly; that includes tolls and wharfages.

1083. And that from other sources the receipts of the canal were 3,855*l.*?—That is so.

1084. And, as the Board of Trade puts it, your total receipts were 7,786*l.* in that year 1888?—Yes.

1085. Would it be very much the same in 1891?—Yes.

1086. In that year do you know what the water represented?—£2,914, but with a deduction for return to the Colne Valley millowners of 459*l.*, making the net receipt 2,455*l.* in that year.

1087. We may say 2,500*l.* in round numbers?—Yes, at that time; it has come down to 1,200*l.* since.

1088. Turning to your second table, I find that according to it the bulk of your traffic is either in Class A. or in Class C.?—Yes, that is so.

1089. Everything else may be practically left out of consideration?—Those are the main articles of traffic.

1090. Two of the main articles in Class C., I suppose, are flour and grain?—Yes.

1091. Seventeen thousand seven hundred and thirty-three tons is the quantity of grain carried?—Yes.

1092. In the proposal you have made to-day, you put in a proviso that in respect of traffic in Class C., the company may charge as for a minimum distance of two miles?—Grain traffic is chiefly through traffic, and the toll on the canal from through grain traffic would, I think, be less by the proposal made to-day.

1093. Is there a great deal of grain which comes from Goole and Hull?—Yes; some grain is destined for Huddersfield, but the large proportion of it goes through.

1094. Any portion of it which came up from Hull or Goole and went half-a-mile on your canal from Cooper Bridge would be liable to this minimum of two miles?—Yes.

1095. When was this flimsy proposal, the one that is on flimsy paper, suggested for the first time?—It is made to-day.

1096. That accounts for your not having been able to get out the amount of difference it would make to the company, I suppose?—Yes.

1097. It is merely made to-day. Was it on your proposal that it was made?—No.

1098. Who was the author of this?—No one party, I think.

1099. Somebody connected with the railway part of the business, I take it?—Certainly. I am connected with the railway.

1100. You told me you were a canal expert?—Yes.

1101. Take coal alone. Is not it the fact that at the present time you carry coal coming to Huddersfield for 3*d.*?—Yes.

Mr. *Pope.*] Not carry it.

Mr. *Balfour Browne.*

1102. Allow it to pass for 3*d.* Is not it the fact that the distance upon your canal from Cooper

Mr. *Balfour Browne* – continued.

Cooper Bridge to Huddersfield is over three miles?– Yes.

1103. How much?—To the gas-works, three and a-quarter miles.

1104. By your proposal upon this paper, would not you be enabled to charge 1*d.* a mile and something for the quarter?—Certainly.

1105. Therefore by this you would be charging more than the 3*d.* at present charged?—Yes.

1106. Have you calculated how much you would get by that?—I have not gone into the exact details, but that has been allowed for.

1107. How?—In getting the total of 500*l.*

1108. You did not pledge yourself to the 500*l.*, it was merely an estimate?—Very well.

1109. You had no figures for it?—Yes, there were figures for it, but not such as I would bind myself to absolutely.

1110. Have you got figures to show me that would justify the 500*l.*?—I could go through any figures you put to me.

1111. You have nothing to show me at the moment?—No, I have nothing to put in.

1112. I see at the present time your wharfage on heavy and other goods is 1*d.* per Imperial ton?—Yes.

1113. Are you aware that under the Schedule of the Board of Trade they have increased your power of charging wharfage?—Yes.

1114. Should not that be taken into consideration when you are looking into the question of whether there should be a reduction of tolls?—You should take the whole of the proposal into consideration at the same time, no doubt.

1115. Just take Class A. alone. I find from the Schedule, as compared with the 1*d.* which you have power to charge, the Board of Trade have allowed you to charge 1½*d.*?—Yes.

1116. Upon Class A. traffic, how much increase would that give you; does not it amount to 250*l.*?—No, it does not amount to that altogether.

1117. Tell me what it is then; it is an increase of a ½*d.* upon 1*d.*?—Yes, it is an increase of a ½*d.*, that is so.

1118. How much increase would it give you in money?—I do not think it would make very much difference.

1119. Now go to Class C., which you say is the other class where the large amount of traffic is. At present your power is 1*d.*?—Yes.

1120. Do you know that the Board of Trade are allowing you to charge a wharfage of 3*d.*?—The bye-traders get the benefit of that.

1121. Anybody who wharves?—Yes.

1122. Do you wharve anything in Class C.?—Our receipt from wharfage is very little; the total receipt in the year you referred to was 193*l.* on the canal, the total receipt including crossing the towing-path, which has been dealt with somewhat in the general conditions.

Lord *Clifford of Chudleigh.*

1123. What year was that?—1888.

1124. Can you give us the figure for 1891?—It would be about the same; rather less in 1891, including crossing the towing-path, I think 120*l.* or 123*l.* for the wharfages.

Mr. *Balfour Browne.*

1125. Have you wharves of your own?—Yes, for which 1*d.* is charged.

1126. A question or two for the Calder and Hebble. The only access to your canal for their traffic going to Huddersfield is over your broad canal?—Yes.

1127. With regard to the locks, how many locks have you on your broad canal?—Nine.

1128. For a distance of four miles?—Yes.

1129. How many locks have they on the Calder and Hebble?—On the Halifax branch there is a pretty considerable rise, but on the lower one I forget how many there are.

1130. They are shown on that cartoon?—Yes.

1131. Have they not per mile as many locks as you have?—On Sir John Ramsden's canal no doubt that is so. We give them water; they take it.

1132. With regard to water, you have made a point of that. Do you think the water you send down to the Calder and Hebble is of any use to that navigation?—In dry weather it must be.

1133. My learned friend Mr. Moon said (and you followed him) that on both sides of this summit whenever you pass traffic, you also part with a lock of water?—If we pass any traffic a lock of water passes with it.

1134. That is the case in every canal with a summit; it must lose its water if it parts with its traffic?—Yes.

1135. Take the Ashton Canal; though it gets a lock of water from you, that lock of water passes on to the Manchester Canal, or to the Bridgewater Canal?—Yes.

1136. The Calder and Hebble was in existence before Sir John Ramsden's canal?—They came into existence about the same time.

1137. Can you tell me what the maintenance expense of Sir John Ramsden's canal is?—No, I cannot give it you separately.

1138. Upon the whole canal, I believe, it is 150*l.* a mile?—I do not know.

1139. You gave that figure when we were before the Board of Trade?—I gave that figure before the Board of Trade.

Sir *Richard Paget.*] Is that the average?

Mr. *Balfour Browne.*] I think that was the average.

The *Witness.*] It was not given by way of average, but I think it is what is going year by year.

Mr. *Balfour Browne.*

1140. Would the maintenance on Sir John Ramsden's Canal be less than the average of the whole?—On Sir John Ramsden's Canal you have to provide water, part of which comes only from Sir John Ramsden's feeder proper, the other part, perhaps half, coming from the narrow canal.

1141. Leaving out the water, merely taking the maintenance, is the maintenance on Sir John Ramsden's Canal less than on the rest of the system?—I am not able to say.

1142. Sir John Ramsden's Canal was constructed long before the narrow canal.

1143. Twenty years before?—Therefore, though my learned friend Mr. Moon opened that

Mr. *Balfour Browne*—continued.

the ends of the canal were dependent on the middle of the canal for their water, Sir John Ramsden's Canal worked for 20 years without the small canal at all?—Yes.

1144. Looking at this diagram and your proposals to-day to make the charge upon the first five miles considerable, I see that practically all the traffic is within five miles of each end of the canal?—That is so.

1145. So if you reduce the charge beyond the five miles it will be upon no traffic at all?—Yes.

Sir *Richard Paget.*

1146. Would you be able to furnish the Committee with a statement of the receipts and expenses of the canal since the year 1847?—I do not think it could be obtainable, judging from the difficulty I have had in obtaining the information I have got.

1147. What is the earliest year for which you could give us such information?—1888.

1148. You cannot furnish the Committee with a statement of the receipts and expenditure of the canal previously to 1888?—No.

1149. From 1888 up to the present time you could furnish the Committee with a statement year by year of all the receipts and all the expenditure in respect of this canal?—I do not think so. Last year, for instance, in consequence of the strike, the figures would be totally valueless, and it would be of no use getting returns and statements from people, causing trouble and expense, which would be of no value.

Mr. *Spicer.*

1150. Have you any definite information as to the number of months each year since 1888 that the tunnel was closed; you say sometimes it has been closed for six months?—It has been closed for 12 months now, but not through a drought or ice.

1151. For reasons, could you furnish us with a statement of how many months it has been closed each year since 1888?—I think that might be ascertained approximately.

Chairman.

1152. But you cannot give that information now?—No; but that could be ascertained.

Cross-examined by Mr. *Waghorn.*

1153. The only case in which you have not charged your maximum on short-distance traffic is at the Huddersfield end?—No; we have reduced the rate below the maximum on the narrow canal as well as the broad canal.

1154. I am speaking of your charges up to the present time; will you give me some instances where you have not charged your maximum at the Manchester end?—I will give you them; on Class A., coal from the Calder and Hebble——

1155. That is not the Manchester end?—From the Manchester end to Ashton, one mile, we charge 3*d.* instead of 4*d.* for that particular item.

1156. Was there much traffic conveyed?—Five thousand five hundred and seventy-seven tons.

Mr. *Waghorn*—continued.

1157. That is the only reduction?—There are others; there is coke.

1158. I am asking you about the Manchester end?—At the Manchester end, nightsoil we charge 3*d.* instead of 6*d.*

1159. The only traffic in this Table of yours that relates to me is cotton; I see 509 tons of cotton conveyed, the charge you make is 15*l.*, comes to 7*d.* a ton, does it not?—Yes.

1160. Class 1, 500 tons giving you 15*l.*, that is 7¼*d.*?—Sevenpence halfpenny a ton to Mossley.

1161. That is a distance of how much?—Five miles.

1162. But you give only 196 tons in your statement of traffic going four miles?—That is five miles.

1163. There is some traffic that goes five miles?—Yes, the statement handed in related to distances mile by mile up to four miles.

1164. Then the whole of this 500 tons of cotton goes to Mossley?—Yes, in that year it did.

1165. Still you charged 7*d.* for five miles?—Sevenpence halfpenny.

1166. I see in these proposed amendments on tissue paper you do not propose to charge 6*d.* for six miles, but you still maintain your maximum boat-load, do you not?—The minimum boat-load we retain, certainly.

1167. How many tons of cotton would go in a boat?—Sixteen, I suppose.

1168. That would be 4*d.* a ton that you propose to charge for cotton?—I do not understand you.

1169. A minimum of 4*d.* a ton you propose to charge for cotton?—Yes.

1170. That is, you reduce the 6*d.*, so far as cotton is concerned, to 4*d.*?—Yes.

1171. Do I understand your Table to show that only 500 tons of cotton travel?—Yes, that did travel in that year.

1172. That is to say, for some reason or other, cotton does not travel over your canal, or nothing worth speaking of?—That is so.

1173. Would it not be possible that more cotton would go over your canal if some lower toll than that were charged?—I do not think it would make much difference from Liverpool to any of those places.

1174. From Manchester?—Or from Manchester; I do not think it would make much difference.

1175. You told the Committee what the distance from Manchester is; you said seven miles?—Yes.

1176. Do you know what the toll actually charged between the four companies is at present upon cotton?—No.

1177. If they charged in the same proportion as you are asking to charge——?—It would be unreasonable if they did.

1178. The traffic would not go if they charge in the same proportion as yourselves?—It would make very little difference: I fancy the small amount that is available for alteration in the rate would not make much difference in the changing from one route to another.

1179. Do you say that if anything like 1*d.* per mile

Mr. *Waghorn*—continued.

mile upon cotton were charged from Manchester to Stalybridge and Mossley, you think such a toll would not induce it to be conveyed?—I do not know what the effect might be.

1180. At present it is perfectly clear that the toll, whether your toll or that of some other company's, has tended to divert the traffic, is it not?—I do not know; I cannot say about the competition of the various companies.

1181. If it were possible to convey some more traffic over your canal it would be rather an advantage to the canal, would it not?—It depends upon the terms; it is a water question; you want a minimum amount to replace the water; 80,000 gallons at 1*d.* a thousand gallons.

1182. If the water were replaced you would be glad to see the traffic?—Certainly.

1183. You would not, as a railway official, be sorry that it should not go from Manchester to Stalybridge by railway?—I have not the control of the traffic and rates there, and I cannot say; it is not in my line.

1184. Who has the control of the traffic from Manchester to Stalybridge by the canal?—Ultimately the general manager.

1185. Then do you think he would regret to see the traffic going or prefer that it should travel over the canal?—I do not know.

1186. Has it come to your knowledge that any traffic actually has been prevented going over the canal by the tolls you charge?—No.

1187. It has not come to your knowledge?—It has not.

Mr. *Pope.*] We shall have to mention it presently. You know that the Act of 1888 by an express section provides that when you as traders have any reason to suppose that the rate by canal is fixed so as to endeavour to increase the traffic by railway, you have an appeal to the Railway Commissioners, and they can alter the rate.

Mr. *Waghorn.*] We have that expensive remedy.

Mr. *Moon.*] Then you have no amendment to propose. You can only support the Board of Trade Schedule, and with regard to this reduction we do not interfere with the Board of Trade Schedule.

Mr. *Waghorn.*

1188. We have an amendment to propose on the minimum boat toll. (To the *Witness.*) You do not know any traffic that has not been conveyed over your canal by reason of an unreasonable toll?—No.

1189. I will put one particular case to you; do you know of a case where a large quantity of spelter could have been conveyed over your canal in 10-ton lots had the tolls been reasonable?—I do not know the case.

1190. I must prove it. There was one figure you did not give the Committee in answer to my learned friend Mr. Balfour Browne's questions, and that is, the net profit made upon your canal?—Allowing anything for interest?

1191. The net profit made upon the working of your canal?—Working the canal, *qua* canal, does not pay expenses; taking the property vested in the North Western Company, as a canal, does not pay expenses.

Mr. *Waghorn*—continued.

1192. Your counsel in opening made a statement that it was necessary to keep up the canal for the sake of the two ends?—Yes.

1193. I want you to lay before the Committee this piece of information: what is the year's net revenue upon this canal?—For tolls 3,441*l.*, and the revenue from property 3,800*l.*; it was so in 1891, including water. And the gross revenue, including rents, were 7,786*l.*, and the expenses 4,389*l.*

Chairman.] We have had all this before.

Mr. *Waghorn.*

1194. You have not had this one figure that I am asking about. (To the *Witness.*) Your gross revenue was 7,786*l.*, and your expenses 4,389*l.*, were they not?—Not on the canal; the canal property. Is it so? The total gross expenses are what you have given.

1195. That leaves you with 3,397*l.* profit for the purpose of keeping up the ends of the canal, does it not?—Yes.

1196. It would be if your revenue was maintained?—Yes.

1197. I will ask you one question to repeat the evidence that you gave before the Board of Trade. You told the Board of Trade, I think, that the physical difficulties of the traffic of going over the concern were such that it was a wonder that any traffic goes over the summit at all?—Yes, it is.

1198. You said a little further on that, in order to induce any traffic at all to go, you must charge the lowest possible toll?—Yes, if you gave it away you would not get through-traffic.

1199. In your opinion it is necessary, to get any traffic, to charge the lowest possible toll?—And a bonus.

1200. These tolls are not proposed with the object of getting traffic?—The substantial tolls, the short-distance tolls, you must charge where your traffic is, where you can get it.

1201. But you charge above the average in other places besides the short-distance. You stated that, in order to get any through-traffic at all, you must charge the lowest possible toll?—That is an element, certainly.

1202. When you ask for tolls greatly in excess of what anybody has been allowed before, is it with the object of encouraging the traffic or of stopping it?—The proposal this morning is to reduce the through tolls.

1203. To what extent; to less than you are asking for?—We are reducing the through-tolls in every case.

Re-examined by Mr. *Moon.*

1204. You said, when my learned friend, Mr. Balfour Browne, was cross-examining you, that you got the figures furnished you from several agents?—Yes.

1205. What are agents, are they people who take the tolls, and have at their command statistics of the traffic?—That is so.

1206. How many agents are there, are they people who keep at the different stations a record of the traffic?—I do not know how many there are.

Chairman.] There is no dispute as to the correctness of this gentleman's information.

Mr. *Balfour Browne.*] No, that is so; I take all the tables as correct.

Witness.] I have verified them by my own inquiry.

Mr. *Moon.*

1207. Coming to the question of what the information at your command is, is it very difficult to extract this information from the books that you put in the tables?—They are obtained by special reference to the tickets and traffic; there is difficulty in obtaining it.

1208. Would it be an easy thing to go to the books and ascertain in former years what the total receipts were, and what the total expenses were?—I do not think it could be done correctly.

1209. Why could it not be done?—It is mixed up.

1210. Mixed up with what. Tell the Committee why it cannot be done. What is it mixed up with, other accounts?—The accounts are separate. You never know when you have got the total whether you have got all you want, everything is separate.

1211. Do you mean that it is separately kept by each of the agents that you specify?—Yes.

1212. Are they agents who keep them mixed up with other accounts which are kept for other purposes?—They are.

Sir *Richard Paget.*] Do we understand that the railway company do not keep any accounts of their canal traffic.

Mr. *Moon.*

1213. Do the railway company keep separate accounts for their canal traffic?—No.

Mr. *Richardson.*

1214. Do not you think that if we had the traffic manager these accounts could be obtained?—Allow me to explain. The receipts and expenses of the canals are kept, but not put together in such a shape as a separate management would require.

Mr. *Moon.*

1215. No manager has been kept in relation to this canal?—No.

1216. There has been no separate manager?—No; there is the goods manager of the district who knows most about that, Mr. Chipman.

Mr. *Pope.*] May I say this: Mr. Mason tells me that if the Committee would desire to know the revenue in any particular year, say from 1847, there may be some difficulty in going back as far as that; but some reasonable distance there really ought to be no difficulty in obtaining that, though it would be difficult to put the revenue under the specific heads of the class of traffic from which the revenue was derived. It would take some time to do, and the manual labour may require weeks of clerks' employment to get it out.

Sir *Richard Paget.*] The company are appearing before the Committee with their case, and it will be a question for the Committee whether they can substantiate their case.

Mr. *Moon.*

1217. Taking the figures of 1891 which you put before the Committee, may that be considered to be a normal year?—I think so.

1218. There were no exceptional circumstances about the year either in relation to expense or in relation to the traffic upon the canal?—No.

1219. My learned friend compared the route of the Rochdale Canal and your canal. Can the through traffic afford to pay you a higher toll than it could afford to pay to the Rochdale Canal?—A higher toll per mile?

1220. That is what I mean?—That is so.

1221. If the Huddersfield Canal Company have gone to a large expense to go through a difficult country and make a short route, ought they to be entitled to a higher toll than the other canal company, the Rochdale Canal Company?—It could not be expected to be maintained except with exceptional receipts to meet exceptional difficulties.

1222. Now a question or two about the tunnel; you said it was shut up from time to time in cases of drought?—Yes.

1223. Is that a tunnel at the very summit of the canal?—Yes; 650 feet above the level of the sea.

1224. Is that the part of the canal that is most susceptible to drought?—Yes, and there is nothing worse than breaking open a canal in frost with many lockages, and having 73 lockages upon a narrow canal; I do not know how they can do it, except it is a very slight frost.

1225. I do not speak of ice boats; no doubt all over the country canals are stopped when the ice is out, but speaking of water, the supply to the summit part of the canal is the most difficult?—Yes.

1226. Is there anything exceptional about the stoppages which take place upon the summit-level of this canal?—On the summit in the tunnel there is no stoppage, but outside the tunnel and in the lockages of the upper reaches of the navigation the frost is very severe.

1227. You talk of frost and I talk of drought? you say the tunnel is stopped in cases of drought and your canal is stopped?—The upper level gets all the water from the reservoir, but a boat at the lower end finds water from the upper end and the pool comes down all the way.

1228. Do you know whether amongst the reservoirs that you have, they all supply the summit-level or whether some of them supply the steps?—That is so.

1229. Most of the reservoirs supply the canal at a lower level than the summit?—Some of them do.

1230. I should like to ask you about water condensing. The revenue that you obtained from manufacturers for water condensing you obtain in respect of the water from Sir John Ramsden's Canal, do not you?—No; it is from the narrow canal.

1231. Anyhow the water which is used for the purpose of condensing is afterwards returned to your canal so that you do not lose any water at all?—That is so.

Mr. *Moon*—continued.

1232. Can you tell me at all what the total amount of your wharfage was in 1891?—I think it was about 170*l.* including the over towing-path wharfages.

1233. How much of that would be in Class A.?—I cannot specify it.

1234. It was put that it could not be true that Sir John Ramsden's canal depended for water upon the Huddersfield Canal, because Sir John Ramsden's canal has existed for 20 years before the Huddersfield Canal was made; but at the present moment, and for years past, has Sir John Ramsden's canal been largely dependent upon the Huddersfield Canal?—It is largely dependent now, to the extent of about half of the water that is wanted.

1235. The other half being obtained from the River Colne?—Yes.

1236. Has that water been very costly to you because it is so impure that you have to take measures to purify it?—That is so.

1237. Has the canal to be purified twice a week because of the impurities in the water?—Yes, it is the fact.

1238. I do not think the figure has been given to the Committee of the amount which the old shareholders in the canal received from the London and North Western Railway Company in consideration of the transfer of the canal and the other property held with the canal?—It is in the Act of 1847; I forget what it is.

1239. It is the figure that we want; do you know what was paid?—It is the 12th Section of the Act of 1847; it is mixed up with the railway; there is no separate amount for the canal.

1240. The nominal value of the canal shares was 230,000*l.*, was it not?—Yes.

1241. Which obtained as a dividend an amount equal to seven-tenths of the railway dividend; then if the railway dividends were 7 per cent., it would be 5 per cent. upon 230,000*l.*?—Yes.

1242. That would come to 11,500*l.* a year?—Yes.

1243. Is it the case that the acquisition by the company of this canal involves a payment of 11,500*l.* a year to the shareholders in the old company?—It does.

1244. And to set against that you have the revenue that you derive from properties at Manchester and elsewhere which you purchased at the same time?—Yes; the gross revenue.

Mr. *Spicer.*

1245. How many agents had you to go to to get the information as to the expenses?—I went to the Taxes Office for the rents.

1246. About how many did you go to in the whole?—To two or three agents for the toll.

1247. You told us that the accounts for the railway and canal are not kept separately?—That is so.

1248. The London and North Western Company have not been in the habit of keeping separate accounts for the railway and the canal?—It has added them up together.

1249. Therefore to some extent they have had in each of these cases to estimate?—There is no estimate about it.

Mr. *Spicer*—continued.

1250. If they do not keep the accounts separate they cannot say definitely which items belong to one and which to the other?—I I have taken out separately, as near as I can, all the items for the year 1891, as I did for 1888.

1251. Then how far are the figures that you have given us your figures, and how far are they the agents' figures?—They are all my figures, ascertained from parties responsible for the working.

1252. But who supplied the figures?—Each different agent.

1253. Each separate agent has supplied figures?—Yes.

1254. But you say they are not kept separately?—They are not kept separately from the railway.

1255. Therefore each agent has had to a certain extent to make his estimate?—In no case is there any estimate by the agent to me, it is all ascertained fact by going into detail for toll purposes with all the people on the canal.

Mr. *Balfour Browne.*] I shall have some comment to make upon the figures, but I accept them to be *bonâ fide*, they are subject to wha. the honourable Member has said about them May I ask this gentleman one question?

Chairman.] Yes.

Mr. *Balfour Browne.*

1256. Does the London and North Western Company get its water for its engines from this canal without being charged anything for it?—I do not know.

Mr. *Young.*

1257. You have said that you had lost 397*l.* of profit; do you mean that is upon the present scale of charges?—There was that amount in 1891, but it is reduced through the reduction of water rents.

1258. Supposing the charges were reduced to the present scale given to you by the Board of Trade, what loss would you sustain with regard to that account?—A loss of 1,498*l.* a-year.

Mr. *Richardson.*

1259. You said in your evidence that the canal was so foul that it had to be purified twice a week; how do you purify it, and what expense do you go to purify it?—Sir John Ramsden's canal was fed anciently by the River Colne, formerly it was a pellucid stream and full; the mill-dams having held the water, the mills foul it in many cases, and to get rid of the foulness it is run into the sewers, that reduces the volume of water coming down to us, and makes the remainder of it foul; it goes into the feeder, and so level is the feeder that it settles, and twice a week all the culvert water is flushed down into the river again.

1260. Not at any great expense?—No, there is no great expense in it, but it limits the amount of available water for us.

Chairman.] You do not call any further witness?

Mr. *Pope.*] I have no more witnesses. I have the agent at Manchester, through whose office Mr. Slinger made the inquiries, and through whom

whom the figures were supplied which are in the Table. I do not know whether his Grace thinks it necessary to deal with the accuracy of the figures, as they are accepted generally. They are subject to this remark, that in separating a mixed account errors may occur in not taking out all that may be attributabte to one side or the other. The traffic is an accurate figure, because it is taken from the books of the collector of the tolls; but I do not think it is desirable that I should occupy yeur Grace's time with it, and I have no other witnesses.

Chairman,] Have you anything to say, Mr. Pelham?

Mr. *Pelham.*] This canal is part of a through rate, and to some extent the Board of Trade think it ought to be dealt with like other canals; at the same time they recognise that there are physical features in the canal, being very similar in many ways to the Rochdale Canal. I do not want to go into the question of the Rochdale Canal, further than to say, as regards the mileage toll it is the same as that fixed by the Board of Trade for this canal; but it was 50 per cent. higher than the tolls fixed last year for the Leeds and Liverpool Canal, and also fixed by the Board of Trade this year in the case of other through routes. As regards the Huddersfield Canal, the broad canal, they feel that it was really not part of the narrow high canal; there were no particular features about that broad canal, but it formed part of the same route as the Aire and Calder, and the Calder and Hebble Canals. The Board of Trade felt that there was a very heavy rate at present charged on traffic which came along this route and had to get to Huddersfield, which, of course, was a very important terminus for traffic. They also had regard to the fact that the broad canal was not mainly, or not, at any rate, exclusively dependent apon the upper high canal for water, that if traffic used the broad canal only, it did not take much water, at any rate, from the narrow canal, as that water was being supplied from the River Colne from natural sources. It seemed to me that the whole point before the Board of Trade was whether the ends of the canal should bear the burden of the centre part of the canal. No doubt the centre part of the canal is a very expensive one, and the consequence of the steep gradient possibly and high tolls has been that there has been very little through traffic over that centre part. A higher toll has been given the company by the Board of Trade proposals than on other canals; and, as has been represented by the company, they get very little benefit from it, because there is very little traffic over the high part. The Board of Trade felt from the evidence submitted at the Inquiry that the railway company had certainly not done very much to develop the traffic over this part of the canal. During the last few years their tunnel has been stopped, and the traffic has been stopped, not because of the operations of the canal, but owing in many cases to the operations of the railway tunnel, which is close beside it or very near it. There was also some comment made that they did not even go to the trouble of having a separate manager for this canal, which you would suppose would be needed to develop the traffic on the canal if the railway company were very desirous of developing it. The Board of Trade felt that they could not put a high toll on the ends of the canal, because the centre part of the canal was a very expense one, and was very little used.

(The Committee deliberate.)

Chairman.] The Committee have decided not to accept the amendment of the London and North Western Railway Company, therefore they decline the pleasure of hearing Mr. Balfour Browne.

Mr. *Balfour Browne.*] I have several amendments proposing to alter the tolls authorised by the Board of Trade on the paper, but now that your Grace has stuck to the Board of Trade figures I will withdraw those amendments, and there is an end of the Calder and Hebble case that I have spoken of.

Mr. *Pope.*] How about the Mining Association?

Mr. *Balfour Browne.*] I withdraw the one at the bottom of page 2.

Mr. *Pope.*] The Calder and Hebble Navigation amendment, at the bottom of page 2, and three amendments upon page 3 are withdrawn.

Chairma .] What amendments remain?

Mr. *Pope.*] The Mansion House Association have an amendment on the top of page 3: page 16, line 3, insert the following new clause: "Nothing in this Schedule shall alter, vary, or affect any exemptions from rates, tolls, and charges provided for by Section 20 of the Act 14 Geo. III., cap. 13."

Mr. *Balfour Browne.*] This is a point that we have to press. It is merely where traffic is going from one side to the other of the canal. My learned friend Mr. Whitehead knows all about it, and, if necessary, he will put it before you.

Chairman.] Have all the amendments on page 1 and page 2 been withdrawn?

Mr. *Waghorn.*] No, your Grace. I am rather surprised that I am left alone, but we wish to press our amendment upon page 2 with regard to the minimum boatload.

Chairman.] Whom do you represent?

Mr. *Waghorn.*] The Lancashire and Cheshire Conference.

Chairman.] What is your amendment?

Mr. *Waghorn.*] Page 14, lines 33 and 34, to omit "five shillings," and insert instead thereof "two shillings and sixpence."

Chairman.] I should like to know what other amendments upon these pages are abandoned and what remains.

Mr. *Pope.*] Will your Grace go through them one by one and call upon my learned friends?

Chairman.] There is a second amendment on page 2.

Mr. *Balfour Browne.*] I represent the Mining Association, and it will not be necessary to move the amendment standing in their name.

Mr. *Pope.*] The next one is the same as the first.

Chairman.]

Chairman.] Then there is the Mining Association again.

Mr. *Balfour Browne.*] We will not move that.

Chairman.] Then the Mansion House Association have an amendment on page 15, Section 1, line 5, after "boat," insert "whether empty or loaded."

Mr. *Balfour Browne.*] We do not press that.

Chairman. Then the next amendment is by the Mining Association, page 16, Section 1, line 7, leave out from "or a toll," to "be" in line 8, inclusive.

Mr. *Balfour Browne.*] That is abandoned.

Mr. *Pope.*] Then the last amendment is by the Mining Association. "For a fraction of a mile the company may charge according to the number of quarters of a mile in that fraction and a fraction of a quarter of a mile may be charged for as a quarter of a mile."

Mr. *Balfour Browne.*] That is abandoned. I propose to move the next one on the top of page 3.

Chairman.] The next is the London and North Western Railway Company?

Mr. *Pope.*] That is in the Lancaster Canal Schedule, and it will come up in another Schedule. That is merely a correction of an error, it is a formal amendment.

Chairman.] What do you say as to the Calder and Hebble?

Mr. *Balfour Browne.*] From the one you have just dealt with down to the end, I will withdraw the amendments of the Calder and Hebble and the Mining Association,

Mr. *Pope.*] Then the London and North Western amendment has gone?

Chairman (to Mr. *Waghorn*).] We will hear you upon the amendment at the top of page 2, page 14, lines 33 and 34, omit "five shillings" and insert instead thereof "two shilling and sixpence."

Mr. *Waghorn.*] My case is very simple. In almost every instance I will venture to say in the Bill before your Grace, either 2*s.* 6*d.* or 3*s.* has been allowed for a minimum boat-load in the case of a narrow canal, and 5*s.* in the case of a broad canal. In this particular instance we have the case of a narrow canal in which the minimum boat-load charge of 5*s.* is allowed, and the evidence which I will submit, and the remarks which I will make, will be to the point that there is nothing upon this canal more than upon any other canal of the same calibre and other dimensions, and that consequently the minimum boat-load should be 2*s.* 6*d.* and not 5*s.* I will, with the permission of your Grace, proceed to call my witness.

Mr. FREDERICK MORTON, is called in; and having been sworn, is Examined, as follows:

Mr. *Waghorn.*

1261. You are the managing director of Fellows, Morton and Clayton, Limited?—I am one of the managing directors.

1262. Whose registered offices are at Lower Fazeley-street, Birmingham?—Yes.

1263. You have carrying establishments in London, Brentford, Birmingham, Leicester, Nottingham, Manchester, and other places?—Yes.

1264. And you have agencies in other parts of the kingdom?—Yes.

1265. What is the business of Messrs. Fellows, Morton and Clayton?—We are large canal carriers in all those places besides others throughout the whole of the kingdom.

1266. You own a large plant?—We have 200 or 300 boats, barges, and steamers, and a very large number of horses and lorries and so on connected with the canal traffic.

1267. I need hardly ask you this. There is nothing of greater consequence to you than the toll which is charged upon the canal?—I do not know that I can put it quite as strongly as that. It is a matter of great importance to us the question of haulage, which we could conduct much better if we had wide canals to travel over than narrow ones: but still the question of tolls is a very important one. The question of haulage is reduced very considerably if we can put a larger weight into a boat which we can do in a wide boat than in a narrow one.

1268. How long have you been at the Manchester branch?—Only for a short period, from the commencement of this year we determined to open up a much larger business than we had previously done in Manchester in consequence of the opening of the Manchester Ship Canal, and for that purpose it was decided that I, as one of the managing directors, should go down to Manchester and open up a new establishment there, which we have done.

Mr. *Waghorn*—continued.

1269. What do you mean by "go down"?—I was formerly in Birmingham, having the charge of the northern portion of our trade; that is, the trade between the Midlands and Liverpool and Manchester; but it was considered by my board that we should do very much better if we opened up a fresh establishment in Manchester itself.

1270. By going down you mean that you reside there?—Yes.

1271. You permanently established yourself in Manchester?—Yes, that is so.

1272. With a view of developing traffic by canal from practically the Ship Canal?—Yes.

1273. The traffic from that Ship Canal will be distributed, where?—From the docks in Manchester to various places in the neighbourhood, such as Bolton, Bury, Ashton, Stalybridge, Stockport, and all the towns and mills situated upon the canals in that district.

1274. Within a radius of 10 miles there is a very large traffic?—Yes, a very large traffic.

1275. With respect to this particular canal, what

Mr. *Waghorn*—continued.

what towns are there on the Huddersfield Canal where you would wish to convey traffic?—The main point upon the canal would be Stalybridge, a distance of only two miles upon the canal from the terminus of the Ashton Canal.

1276. The bulk of the traffic would go to Stalybridge, would it not?—To and from Stalybridge. There is a large traffic to be developed, I am informed by the manufacturers in Stalybridge, from Stalybridge as well as to Stalybridge.

Chairman.

1277. Between Manchester and Stalybridge?—More especially between Manchester and Stalybridge.

1278. Will not the traffic be chiefly on the Ashton Canal?—In this particular instance it would pass over the Bridgewater Canal, a portion over the Rochdale Canal, a portion over the Ashton Canal, and two miles upon the Huddersfield Canal.

1279. How much upon the Ashton Canal?—Six and a-quarter miles upon the Ashton Canal.

Mr. *Waghorn.*

1280. The total distance from Ashton to Stalybridge would be how much?—About 10 miles.

1281. The canal route would be divided between how many canals?—Four.

1282. Of those four how many propose the minimum charges?—Of those four we should have to pay the minimum charge upon three of them.

Chairman.

1283. What would be the four canals that you would have to go over between Manchester and Stalybridge?—I have had some plans prepared which will show exactly the route, and also show the vertical section. This is just reduced in skeleton from the Ordnance Survey map to three inches (*producing some maps*).

Mr. *Waghorn.*

1284. On what scale is it?—It is on the scale of three inches to the mile.

1285. Of the four canals three want the minimum charge?—All four of them ask for the minimum boat-load charge; but of the four we should be compelled to pay the minimum boat-load charge on three in passing between Manchester and Stalybridge.

1286. In each instance is it a matter of consequence whether that minimum charge of a boat-load is enforced or otherwise?—It is of so much consequence that the effect of the tolls at present standing in the Schedule would be to make the charge per ton per mile for cotton from the Manchester Docks to the Gartside Works, Stalybridge, 4*d.* per ton per mile.

Mr. *Pelham.*

1287. You mean the effect of all the Schedules?—Yes, the effect of all the Schedules dealing with the four canals.

Mr. *Waghorn.*

1288. If the same allowance is made to all the canals the traffic cannot pass?—No, already I have refused traffic between Manchester and Stalybridge in consequence of the high tolls which at present exist; but they are no higher than the tolls I should have to pay under the new Schedules. I have been compelled to refuse traffic already.

Sir *Richard Paget.*

1289. Are the tolls in the new Schedule in excess of your existing tolls?—Taken in the aggregate they amount to much the same as the tolls at present, they vary a little *inter se.*

Chairman.

1290. You mean over the four canals?—Over the four canals.

Mr. *Waghorn.*

1291. Five hundred tons of cotton went to Stalybridge under the existing tolls. If the tolls were abridged to a reasonable amount could you convey that cotton to Stalybridge?—I could convey a very large amount of traffic to and from.

1292. Can you mention a case to the Committee that you have been actually unable to convey traffic because of the tolls which are charged?—Yes, I have just named one; that is a case where I had spelter offered to me to convey from Manchester to Stalybridge, which I was utterly unable to take, in 10-ton lots which were the parcels in which it had to go. I do know quite why we should have been restricted from conveying parcels of 10 tons any more than the railway companies are, but it amounts to this, that in taking parcels of 10 tons the tolls are so onerous that it is impossible for us to deal with it.

1293. Not only in consequence of the absolute amount proposed to be fixed, but by the fact that you frequently cannot convey a full boat-load?—Certainly we cannot, and there is a difficulty arising in another form, that not only are we unable to take a small load such as 10 tons, but, supposing we have a parcel of thirty tons to convey, we are left practically in the same difficulty, inasmuch as this canal will not accommodate a boat containing more than about 22 or 23 tons; the balance of the 30 tons must of necessity go in a second boat, on which it is proposed that we should pay this minimum boatload toll of 5*s.*; so that, supposing there were seven tons left we should have something like 8*d.* or 9*d.* a ton to pay upon this one canal on the balance of seven tons.

1294. Have you ever met with such an instance that a balance has been left by you?—Yes, that is occurring every day.

1295. So that if you have your full boatload there is a small amount left upon which you must pay the full boatload?—Upon which we have to pay the minimum toll.

1296. In the cotton traffic what is a fair boat-load?—It does not vary very much from the statement made by Mr. Slinger, he gave it perhaps rather in excess; 13 or 14 tons would be as much as a boat could accommodate upon the narrow canal. Some cotton is much more densely packed than others, therefore, a boat-load

Mr. *Waghorn*—continued.

load will vary in that respect from 12 to 16 tons.

1297. Bearing in mind the amounts that have been allowed upon the other canals under other circumstances, bearing in mind also the value of water, what do you say would be a fair minimum boat-load charge for the traffic going on the Huddersfield Canal?—I think that if we were to be guided by what was done in Parliament last year in the case of the Grand Junction, we are anxious to cultivate the trade upon our canal without any minimum boatload charge at all.

Chairman.

1298. No charge?—No charge whatever, they omitted it voluntarily from their Bill. There is no charge in their Act of Parliament. I take it that the reason why they did that was this; speaking of the carriers generally, bye-traders, as they are called in the Schedule, knowing the difficulties of the bye traders in dealing with traffic of this sort, they considered that as we were compelled to carry small parcels occasionally at a loss to ourselves, and as canal companies having a similar interest with ourselves, should bear their portion of the loss, they allow that traffic to pass over the canal without paying any minimum boat-load charge.

Mr. *Pelham.*] The reason is that there is very little short traffic upon the Grand Junction Canal.

Mr. *Waghorn.*

1299. If the Committee do not adopt your view, and think a fair allowance should be made to Huddersfield, what would be a fair minimum charge per boatload?—I say 2*s.* 6*d.* is amply sufficient, and especially as it is only proposed that they should have 5*s.* at the broad end of the canal. I think it unfair to us that we should pay 5*s.* for a boatload on the narrow part of the canal where you only take these comparatively small loads.

1300. So far as the length and width of the locks on the Huddersfield Canal are concerned, what proportion do they bear to the locks of canals where 5*s.* is allowed for a minimum boat-load?—They are about half the size.

Mr. *Pope.*

1301. What do you know about the size of the locks?—I have had 35 years' experience.

Mr. *Waghorn.*

1302. Have you anything to say about the Standedge Tunnel?—No.

1303. Are you able to make any arrangement for carrying through traffic at the present moment?—We have never attempted such a thing, seeing that the tunnel has now been closed some 12 or 18 months, and they gave notice within the last fortnight that there would be a further closure of the tunnel for another six months; it is useless sending any traffic that way.

Mr. *Pelham.*] There is no amendment as regards the tunnel.

Cross-examined by Mr. *Pope.*

1304. Let us keep to what we have to deal with; what you propose, and all you propose, is is an amendment of the first of the special clauses by the insertion of 2*s.* 6*d.* where the Board of Trade has put 5*s.*; that is all you propose?—That is all.

1305. Let us stick to that, and not go into the circumstances of the general canal traffic; have you ever sent a ton of traffic yet over the Huddersfield Canal?—Yes.

1306. Where to?—Stalybridge.

1307. You have already?—Yes.

1308. What was it?—Spelter.

1309. Where did it go to at Stalybridge?—To Somers' Works.

1310–11. What is proposed by the Board of Trade is that where merchandise is conveyed in a boat which passes through one or more locks on the canal, the company may charge a minimum toll of 5*s.* The difference between you and the Board of Trade is 2*s.* 6*d.* (you say 2*s.* 6*d.*, and they say 5*s.*); have you the smallest idea what the cost of a lock of water would be to the company?—I have heard so many statements with regard to the cost of the water that I am bound to say I have very little faith in any of them.

Chairman.] Then you do not know anything about it.

Mr. *Pope.*

1312. You do not pretend to know anything about it; in fact, you have heard so many opinions that you have no opinion of your own?—Yes, I have.

1313. Do you think the cost of the water is element that ought to be taken into consideration as to the minimum toll which is to be taken if you use a lock of it?—If I gave my opinion ——

1314. Will you answer my question and never mind your opinion?—You asked me my opinion.

1315. No; I ask you do you think that the cost of a lock of water, or of more than one lock of water which would be used by your traffic is an element that ought to decide the minimum amount that you should pay for that user?—There would not be more than one lock of water.

1316. This is not applicable to the Stalybridge only?—One lock of water is sufficient to take a boat from the summit to the bottom.

1317. Do you think the cost of that water is a fair element which ought to be taken into consideration in settling the minimum amount which a boat ought to pay for the user of that water?—No, I do not; will you allow me to explain; I say the finding of the water for the working of the canal is as much a part of the canal company's business as it is for a railway company to find the rails which the trucks should run upon the railway.

1318. But part of the busines, for which they should be fairly paid?—Yes.

Chairman.] But he does not mean that evidently.

Witness.] I mean they should be paid in tolls.

Mr. *Pope.*

1319. Suppose you chose to send a boat with a single bale of cotton on board, are they to be satisfied to give you that lock of water for the toll they would get on that bale?—The Grand Junction Canal are doing so.

1320. Do not you know that the Grand Junction is a canal where they have a long lead from London to the Midlands?—They are very anxious to encourage traffic.

1321. With no short distance traffic at all?—I know they have some little; not much.

1322. I am told by those who know that the Grand Junction——

Chairman.] We are not dealing with that.

Mr. *Pope.*

1323. They got a lockage toll at all events; they got a charge for the lock though they did not take it as a minimum toll upon the boats?—Only for empty boats.

1324. Your boat going to Stalybridge loaded with cotton must come back empty?—Not necessarily.

1325. There is not much return traffic possible is there?—There cannot possibly be if we are to be subject to the onerous tolls we have been talking of.

1326. We are talking of 5*s.* for the minimum?—Which I maintain is an onerous toll.

1326.* What you would require to work your traffic to Stalybridge would be a lock of water for the full load going to Stalybridge, and unless there was a return cargo, a lock of water for the empty boats going down?—Yes.

Lord *Clifford of Chudleigh.*

1327. Can you tell me what the average tonnage of these small boats is for taking an ordinary cargo, not a special cargo like cotton?—Twenty-five tons.

Mr. *Richardson.*

1328. What draught of water?—About 3ft. 6in.

Sir *William Houldsworth.*

1328.* Would there be any cotton going past Stalybridge to Mossley?—There would be cotton going to Mossley.

1329. How far is it from Ashton to Mossley?—About five miles.

1330. The minimum would apply there as well?—No; the minimum would not apply. The bulk of the traffic would be going to and from Stalybridge.

Mr. *Spicer.*

1331. If the 2*s.* 6*d.* minimum was granted, would the trade in small loads be very much facilitated?—No, I do not think so; it is our interest to take full boat loads. We have no interest to take small parcels; it is only where the exigencies of the trade require it that we have small loads.

1332. As a matter of fact, it is not your interest to have small loads?—Quite the contrary.

Mr. *Waghorn.*] The Committee will, I think, have clearly seen by this time the issue between the railway company and ourselves. In the Schedule in the Bill now before the Committee, there are minimum boat-load charges applicable to something like 15 or 20 canals. Some of those are broad canals and some of them are narrow; upon the broad canals the minimum of 5*s.* per per boat has been sanctioned, upon the theory, I think I may say, it is understood by everybody, that that 5*s.* will pay for the water of the broad lock. Upon narrow locks charges of 2*s.* 6*d.* and 3*s.* per boat are introduced and submitted to the Committee by the Board of Trade. This is the sole instance where a canal having locks only 7 feet in breadth ask to have such a charge as 5*s.* allowed them for their water. They candidly come and say, it is not for the water; we do not wish to go into careful considerations as to what the cost of the water is. We do not believe for a moment that 2*s.* 6*d.* is any thing like the worth of a lock of water in a narrow canal, but we waive that we are willing to pay 2*s.* 6*d.*, which is much more than the value of a lock of water, but they come and say we have denuded this canal of the whole of the traffic for some 16 miles of its 24, and we ask to have the whole cost of those 16 miles of water saddled upon the two ends. I had prepared some little argument to show that that was so, but they candidly admitted it.

Mr. *Pope.*] I did not admit it.

Mr. *Waghorn.*] My learned friend, Mr. Pope, said, We do desire to tax the ends for the purpose of maintaining the middle. That is as clearly wrong a principle as you could possibly have laid before you. They put in a diagram, which shows an enormous traffic at the two ends, and upon this enormous amount of traffic they propose to charge 5*s.* per boatload instead of 2*s.* 6*d.* They stop up the tunnel for 18 months, I believe, at a stretch, or 18 months in two years, and the whole of the traffic that ought to go through the tunnel goes by the railway, and because they have denuded the canal of that traffic, and taken it on to their own railway, they say, "We are entitled to put this charge on to the traffic, at the two ends." And what is the result? The Witness told you if the other four canals made the same charges as the Huddersfield Canal it would be impossible that the traffic could go. Then it comes to this; you are asked to select the Huddersfield Canal, to give charges to them that no other canal in the route is to have, and no other railway-owned canal in the kingdom comes and asks these charges to be given. This company asks for these charges, not because they are fair, but simply because they have elected to destroy the traffic that passed over the canal. One word of explanation and apology to the Board of Trade in this matter. We did not raise this question before the Board of Trade in October for this reason; a reason which I think must be obvious to the Committee now. The company came forward then with proposals still more extravagant than those they are asking now, and in combating those we overlooked the minor charge of 5*s.* a boat and said nothing about it, but I wish to point out that no evidence has been called on the cost of the water. It is perfectly reasonable

reasonable to assume that the cost of this water is the cost elsewhere, and you are simply left with the one reason for charging the 5*s.* that I have already alluded to. There is no other reason for charging the 5*s.* than because they have destroyed the traffic elsewhere, and such charges as these are calculated to destroy the traffic that would and could pass over.

Chairman.] Am I led to understand that you considered this point so very trivial that you did not think it worth while to bring it before the Board of Trade, and that all this danger you now anticipate did not occur to you at that time.

Mr. *Waghorn.*] It was not so obvious then as now, because since then the Manchester Ship Canal has become open; it is only since January that Messrs. Fellows, Morton and Clayton have been endeavouring to convey the traffic. As soon as the Manchester Ship Canal is open they try to develope this traffic and they find they cannot do so. Why? Because of the minimum boat-loads.

Chairman.] The Manchester Ship Canal, to my knowledge, has been before the public some years.

Mr. *Waghorn.*] But has only been opened recently.

Chairman.] However, that is your answer.

Mr. *Waghorn.*] That is one answer. The other answer is that they were making other demands which we were combating strenuously, and in combating those we overlooked this.

Chairman.] When you say overlooked it, I do not imagine that anything would be overlooked by you in acting for your clients.

Mr. *Waghorn.*] I am afraid it is the fact for all that.

Mr. *Pope.*] I hope my learned friend will not think that I treat him with disrespect if I do not say much on the question whether railway companies who own canals do or do not prefer to carry the traffic on their railway rather than carry it on the canal. But what is the Committee to do in this particular case? Parliament has put upon the railway company the obligation of maintaining the Huddersfield Canal, and the whole question is what scale of tolls or rates is fairly to be allowed them for the purpose of carrying out that statutory obligation. I do not expect the Committee to treat a railway company with generosity in a matter of this kind, for the simple reason that most of us believe that they would rather see traffic pass over their own line than along the canal, but justice they are entitled to, and the Board of Trade have endeavoured, the Committee having supported them in regard to some particulars, to do that which it is the duty of those who settle these Schedule of rates to do, namely, to fix such a maximum as may fairly be given to the railway company to enable them to discharge their statutory obligation under such penalties as they are liable to if they do not. What is it that Mr. Morton suggests? I cannot help making this observation. The amendment is given notice of by the Lancashire and Cheshire Conference.

Mr. *Waghorne.*] By Messrs. Fellows, Morton and Clayton too.

Mr. *Pope.*] Their names are not printed.

Mr. *Waghorn.*] That is a mistake.

Mr. *Pope.*] I can perfectly understand why their names are not printed.

Mr. *Waghorn.*] It is a mistake by your company; their names were put in, the railway company print the amendments, and they are endeavouring to take the benefit of their own mistake.

Mr. *Pope.*] There is no amendment of this kind bearing Messrs. Fellows, Morton, and Clayton's name, and I can well understand why. Because my learned friend Mr. Waghorn being the adviser of the Lancashire and Cheshire Conference thought it worth while.

Mr. *Waghorn.*] I must protest. These are sent in by Messrs. Fellows, Morton, and Clayton, and the railway company, by mistake, have not printed their names.

Mr. *Mason.*] I have the amendments here (*handing them to the Committee*).

Mr. *Pope.*] Be that so or not, is not it quite obvious that this not an amendment proposed by a body of traders, but by an individual trader who finds that his own trade would be benefited by the reduction in the rates, and in respect of one place only. I had the honour of arguing the other day before this Committee, and I think successfully, that the principle upon which all this legislation should proceed is not to legislate for individuals or for individual cases, but to legislate fairly with regard to the great mass of the trade of the country. The only person who comes and asks to reduce this minimum toll from 5*s.* to 2*s.* 6*d.*, whether at one of the canal or the other, is Mr. Morton, who recently established a business at Manchester, and thinks that his business might be facilitated at Stalybridge for cotton if he had 2*s.* 6*d.* for lockage to pay instead of 5*s.*, which the Board of Trade has fixed as a fair sum. And let me say this: Mr. Waghorn has no title to say anything about large locks of water or small locks of water; the contents of one of our locks has been proved to be 80,000 gallons; I do not know that you could find another canal that contains larger locks than that. The depth of the lock is greater than the proportionate width; that it only takes boats of a certain width is perfectly true. What are you asked to do for the benefit of Mr. Morton? To enable him to send his cotton to Stalybridge, are you to reduce this charge from 5*s.* to 2*s.* 6*d.*? Suppose 14 tons go in one of these narrow boats; a total of 5*s.* distributed over 14 tons amounts to 2*d.* a ton, including the mileage distance; 2*d.* a ton upon an article worth 40*l.* a ton is supposed to be a prohibitory toll which is to exclude the traffic being carried.

Mr. *Waghorn.*] You are asking 4*d.*

Mr. *Pope.*] The difference between us is 2*d.* a ton upon an article worth 40*l.* a ton if it goes to Mossley; and I may venture to say the only cotton we heard of till Mr. Morton spoke of Stalybridge was sent to Mossley, the 500 tons of cotton was sent to Mossley, and not to Stalybridge.

bridge. In that case the minimum charge would not apply, because the mileage rate would be more than the minimum charge. It is merely this, we will say a cotton spinner, or Mr. Morton, the carrier, uses the canal for a short distance, the mileage of which will not come to 5*s.*; he must pay the 5*s.*, but if the mileage rate does come to the 5*s.* he must not pay more than the mileage rate. It is a mere minimum, and I venture to say, in order to gratify an individual trader to an individual place, you will not disturb what the Board of Trade has done, which is general, applying to all cases.

Mr. *Pelham.*] In this case the Board of Trade thought it was right to give this canal the same minimum toll as was given by the Committee last year to the Leeds and Liverpool Canal. In both cases the water is no doubt expensive. The physical features of the ground, I think, are sufficient to show that the maintenance of the water in the canal must be extremely difficult and expensive. Five shillings was given to the Leeds and Liverpool Canal last year, though the Leeds and Liverpool Canal was no doubt a broad canal. Five shillings was also given to the Warwick and Birmingham Canal by the Committee last year, which is a narrow canal. No doubt Messrs. Fellows, Morton, and Company have raised an important question as regards traffic which goes over several canals, and it is quite possible that the tolls of all those different Schedules may be rather too high for the traffic, but I take it that the Board of Trade had not to fix a toll which would be right for through traffic. There is another machinery given by the Act of 1888 (though I should be rather sorry to interpret exactly what the procedure is) for fixing a through rate, and Mr. Waghorn, who appeared before me by special arrangement in April or May, to represent his case after all the Schedules had been settled said no doubt it could be set right if there was a Canal Clearing House to settle questions of through traffic. It is exceedingly difficult to fix a minimum which would be fair to all kinds of traffic. Even if you take 2*s.* 6*d.*, if there is only one ton taken for a mile or half a mile, 30*d.* per ton per mile no doubt is high, but at the same time there is a very great loss to the company on these small boat-loads which go a short distance, and which take as much water as a full boat-load going 20 miles.

The Committee deliberate.

Chairman.] The Committee have decided to allow 5*s.* for the broad part, and 2*s.* 6*d.* for the narrow part.

Mr. *Pelham.*] I will put that in form and bring it up to-morrow morning.

Mr. *Whitehead.*] There is one other amendment, it is set out on the top of page 3 of the amendments, that relates to the exemption clause. The exemption clauses have been before the Committee quite recently, so I need not take up time by explaining in detail what the the point is, but shortly it is this. This exemption clause only applies upon the broad canal, not the narrow canal, and it relates to two matters. First of all, manure which goes free when the boat does not pass through a lock, and when water is running over a particular weir or dam. So far as the exemption relates to manure, it has not been made much use of, and with reference to water flowing over the dam, it is not of very great importance; therefore I do not ask the Committee to preserve that part of the exemption. But there is another part of it which deals with boats that do not pass through the lock at all, but pass from one part of the canal to another. It is similar to that admitted in the Great Northern Schedule the other day, in which boats were allowed to pass free from one estate to another for the purposes of husbandry, but not for carrying merchandise traffic. That exemption, in the case of the Grantham Canal, was admitted by the company and accepted by the Committee. This exemption on the broad canal is very similar to that; it is in the words in the old Act, "No boat, barge, or other vessel making use of the said navigation shall be charged or chargeable with any of the rates or dues aforesaid unless such boat, barge, or vessel shall pass through some lock," and so on. The importance of it is this to the Corporation of Huddersfield. They are the possessors of some gasworks. Part of their works are on one side of the canal, and part of their works on the other, and in the course of their business it becomes important for them that they should be able to transfer spent lime and other articles from the gasworks on one side to their works on the other. The total distance from the one point to the other is merely 100 yards, but unless the Committee reserve this Exemption Clause, the company would be able to charge on all that traffic as if it had gone over a distance of a mile, though it does not pass through a lock or subject the company to any loss of water. There is one point, also, which makes the analogy with that Clause in the Grantham Canal much closer, and that is this fact, that the Corporation of Huddersfield are the lessees of Sir John Ramsden's Canal, or rather they are the present representatives of Sir John Ramsden, who made the canal. So, really, this exemption would apply, so far as concerns the Corporation's traffic to lands which were severed at the time the canal was made. So it is on all fours with that exemption which the Committee accepted in the case of the Grantham Schedule, applying to the severance of lands and farms. I do not know whether there is any dispute as to the accuracy of my statement that the corporation have these gasworks. I will just put in the gas-engineer.

Mr. *Pope.*] You need not do that; the Corporation are the owners of the gasworks, and they want this exemption in order to enable them to deliver their gas-tar on the opposite side of the canal without paying any toll.

Mr. *Balfour Browne.*] And it is a large amount of traffic.

Mr. *Pope.*] No doubt.

Mr. *Whitehead.*] One point further. It was suggested before Mr. Pelham, acting on behalf of the Board of Trade, that this exemption clause in the original Act of the company had been repealed, and reliance was placed on a clause in the Act of 1847 by the company in support of their contention. That clause being Clause 37 of the Company's Act, but all that that clause does is this; it makes no reference to the exemptions; it

it merely repeals the old tolls, not the exemptions at all; it repeals the old tolls, and says in lieu thereof there shall thenceforth be payable certain other tolls. There is no mention of exemptions; all that that clause deals with is the tolls. This traffic, on behalf of which I am addressing the Committee, is not traffic that would have been subject in 1847 to any tolls whatever; therefore that Clause 37 does not apply and the original exemption in the Act of 1870 is still in existence. That exemption the Corporation are, of course, desirous of making use of in connection with their gasworks, and they submit that the amendment to that effect should be adopted by the Committee.

Mr. *Pope.*] May I venture to say this: My learned friend must modify his amendment, because he proposes to revive and make perpetual the general exemptions, not merely the one in particular he has read, but the general exemptions contained in Section 20 of the Act of 1874 under which Sir John Ramsden's Canal was constructed, his real object being to maintain only a portion of them.

Mr. *Balfour Browne.*] Certainly we will modify the amendment to that extent.

Mr. *Pope.*] What we have got to deal with is freedom from toll of a boat not passing through a lock: "No boat, barge, or other vessel making use of the said navigation shall be charged or chargeable with any of the rates or dues aforesaid unless such boat, barge, or other vessel shall pass through some lock." I will hand your Lordship the old Act. The traffic which was intended to be exempt then was clearly not such traffic as would be exempt now by the operation of such an exemption. The Corporation being owners of the gasworks would be enabled to carry on a traffic on the canal, and a considerable traffic without paying any toll at all. Of course, if it is a right thing that they should do that, that is for the Committee to decide, but that would be the effect of it. What is the position of the matter? The whole of these tolls and rates fixed in 1874 were considered by Parliament in 1847, when the canal was transferred to the railway company, and what was done was this: the whole of the tolls and rate clauses of the old Act of 1874 were repealed, and a new set of tolls and rates were included in the Act of 1847. It is quite true the Act of 1847 is silent about the exemptions, but in the Schedule of Tolls and Rates are included articles which are mentioned in Section 20 of the old Act to be free and exempt from tolls. So, putting those two facts together, the contention of the company has always been that the exemptions fell with the re-enactment of a new scale of tolls and rates which included some of the articles which had previously been exempt, and until some industrious individual discovered this old section of the Act of 1874, nobody ever dreamt that such a traffic as would be exempt by it was to pass toll free upon the canal; and from 1847 till now everybody has acquiesced in the view that these exemptions were repealed and that the toll was chargeable. Now they come and say, in 1874, there was an Act of Parliament which, if construed strictly, would entitle us to this accommodation free; the contention of the company is that that has been repealed and that that is a question of law, which, if you like, you can test in any way you may be advised. The effect of your Lordships passing my learned friend's amendment would be this; it would be as though in 1847 Parliament had enacted that these exemptions should be continued, and that the articles named in the Schedule should, so far as the user of this canal is concerned, be exempt from toll in future, though they insert them in the schedule of tolls as being tollable articles. That is the whole question. What I put as a matter of fairness is this; it is not like the question of a farmer whose farm is severed by a canal and who wants to carry his manure from one side of his farm to the other; it is the case of a huge commercial community, a large body who were never dreamt of when the 1874 exemptions were made, and who would, therefore, get a free user of the canal with the construction of which they had nothing to do, for the use of traffic not contemplated at the time; in fact, for the conveyance of their gas tar from their works to a place where they can dispose of it to some customer without any charge. If my learned friend had come forward and said, the rate which is chargeable is an excessive rate for such service one would have met him in a different way; but when he says that he ought to have this accommodation for nothing, according to the proper construction of the Act of 1874, I say the Act of 1874 went by the board in 1847, and therefore he is not entitled now to ask for this exemption. Having reduced our toll from 4*d.* to ½*d.*, he says I ought not to pay ½*d.*, I ought to get it for nothing.

Mr. *Balfour Browne.*] First of all this proposal is not to enact something new, but to leave things exactly as they are. It says, "nothing in this Schedule shall alter, vary, or affect any exemptions from rates tolls and charges provided for" by that Section 20.

Chairman.] But then the contention is that that section was repealed in 1847.

Mr. *Balfour Brown.*] Yes, that is not the case. If it were repealed in 1847 this would not revive it. This says nothing shall affect that old Act.

Mr. *Pope.*] Are you content to employ phraseology to leave things where they are?

Mr. *Balfour Browne.*] Yes; I know the exemption was not wiped out in 1847.

Chairman.] Do you contend that matters should be left exactly as they are at present.

Mr. *Balfour Browne.*] Yes, I hold that that exemption exists. My learned friend's only argument is this: he says it is quite true the section of the Act of 1847 says nothing about exemptions, but then I find in the Schedule certain articles that were exempted by the old Act mentioned. That is no answer because they had to be mentioned in the Schedule for this purpose, the old Act said: "Provided always and it is hereby declared that no rates or dues shall be due, paid, or demanded for any Soaper's waste dung or any sort of manure for the use only of the lands through which the said canal shall be cut, or within one mile of the said canal (except lime and limestone) for being

carried upon the said canal, or any part thereof, so that the things hereby exempted from the payment of such rates and dues do not pass through any lock." If they did pass through a lock they would have to pay tolls and dues, therefore they must be mentioned in the Schedule. We give up all question of passing through a lock, and it goes on, "but at the time when the water shall flow over the dam called Shore Foot Dam, and that no boat, barge, or other vessel making use of the said navigation shall be charged or chargeable with any of the rates or dues aforesaid, unless such boat, barge, or other vessel shall pass through some lock." Those were tollable articles, unless water was flowing over the dam, and that is why they are mentioned in the Schedule. That did not take away the exemption. There is no expense upon this traffic; if it passed through a lock it would involve expense; they would lose a lock of water. But here is a pond kept up by doors at each side; the boat passes over the water from one side to the other, and there is no expense to the company; there is the mere displacement of the water while the boat crosses from one side to the other. If this traffic is exempt now it ought to be exempt again. We are quite willing to put in words that will show we do not ask ask for a substantive enactment by what we are proposing, but only to keep things as they are; we know we are exempt now, and if you put in a clause preserving those rights, so far as we have not modified them, we are content.

The Committee deliberate.

Chairman.] The Committee have decided not to insert the clause proposed by Mr. Balfour Browne.

Mr. *Pelham.*] With regard to the Lancaster Canal an alteration is required to be made in the title at page 16, lines 10 and 11. Instead of "Lancaster (North End) Canal and the Lancaster (South End) Canal" insert "Lancaster Canal (North End) and the Lancaster Canal (South End)."

Mr. *Pope.*] That disposes of all the London and North Western Canals.

Ordered, That this Committee be adjourned to To-morrow, at half-past Eleven o'clock.

Die Martis, 19° *Junii*, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Joseph Richardson.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) (Bridgewater, &c., Canals) Bill.

The following Petitions against the Bill are read:

The Petition of the Company of Proprietors of the Calder and Hebble Canal.

Mr. *Balfour Browne*, Q.C., and Mr. *W. Carr* appear as Counsel in support of this Petition.

Messrs. *Lewin and Company* appear as Agents.

The Petition of the Shropshire Union Railways and Canal Company.

Counsel reserved.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the Manchester Ship Canal Company.

Mr. *Pember*, Q.C., Mr. *Balfour Browne*, Q.C., Mr. *W. Whitehead*, and Mr. *Compton Smith* appear as Counsel in support of this Petition.

Messrs. *Dyson and Company* appear as Agents.

The Petition of the Mansion House Association on Railway and Canal Traffic for the United Kingdom (Incorporated).

Counsel reserved.

Mr. *A. Beveridge* appears as Agent.

The Petition of the Mining Association of Great Britain.

Mr. *Balfour Browne*, Q.C., appears as Counsel in support of this Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the Medway (Upper) Navigation Company.

No Counsel or party appears in support of this Petition.

The Petition of the Company of Proprietors of the Rochdale Canal (against alterations).

Mr. *Cripps*, Q.C., and Mr. *Brierley* appear as Counsel in support of this Petition.

The Petition of Fellows, Morton, and Clayton, Limited.

Mr. *Waghorn* appears as Counsel in support of this Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE STAFFORDSHIRE AND WORCESTERSHIRE CANAL NAVIGATION.

Mr. *Lewis Coward* appears as Counsel in support of this Petition.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the LANCASHIRE AND CHESHIRE CONFERENCE OF MUNICIPAL CORPORATIONS AND OTHER AUTHORITIES, TRADERS AND ASSOCIATIONS.

Mr. *Waghorn* appears as Counsel in support of this Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the DUKE OF BRIDGEWATER'S TRUSTEES AND EARL OF ELLESMERE'S TRUSTEES (against alterations).

Counsel reserved.

Messrs. *Rees and Frere* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE GLAMORGANSHIRE CANAL NAVIGATION.

Counsel reserved.

Mr. *Robert Capper* appears as Agent.

Adjourned to Thursday next, at Half-past Eleven o'clock.

Die Martis, 19° *Junii*, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Joseph Richardson.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS AND CHARGES PROVISIONAL ORDER (No. 3) (Aberdare, &c., Canals) Bill.

The following Petitions against the Bill are read:

The Petition of the Proprietors of the Warwick and Napton Canal Navigation.

Counsel reserved.

Messrs. *Taylor, Hoare, and Company* appear as Agents.

The Petition of the Company of Proprietors of the Calder and Hebble Navigation.

Mr. *Balfour Browne*, Q.C., and Mr. *W. Carr* appear as Counsel in support of this Petition.

Messrs. *Lewis and Company* appear as Agents.

The Petition of the Shropshire Union Railways and Canal Company.

Counsel reserved.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the Mansion House Association on Railway and Canal Traffic for the United Kingdom (Incorporated).

Counsel reserved.

Mr. *A. Beveridge* appears as Agent.

The Petition of the Aire and Calder Navigation and Leeds and Liverpool Canal Company (against Alterations).

Counsel reserved.

Messrs. *Rees* and *Frere* appear as Agents.

The Petition of the Birmingham and District Railway and Canal Freighter's Association.

Counsel reserved.

Messrs. *Neish* and *Howell* appear as Agents.

The Petition of the Mining Association of Great Britain.

Mr. *Balfour Browne*, Q.C., appears as Counsel in support of this Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE OXFORD CANAL NAVIGATION.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE ABERDARE CANAL NAVIGATION.

Counsel reserved.

Mr. *Robert Capper* appears as Agent.

The Petition of the MEDWAY (UPPER) NAVIGATION COMPANY.

Counsel reserved.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of WILLIAM ARNOLD AND SONS AND OTHERS.

No Counsel or Party appears in support of this Petition.

The Petition of the COMPANY OF PROPRIETORS OF THE COVENTRY CANAL NAVIGATION.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the SHARPNESS NEW DOCKS AND GLOUCESTER AND BIRMINGHAM NAVIGATION COMPANY.

Counsel reserved.

Messrs. *Grahames ond Company* appear as Agents.

The Petition of the WORCESTER AND BIRMINGHAM CANAL COMPANY.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE GRAND UNION CANAL AND OTHERS.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the COMPANY OF PROPRIETORS OF THE STAFFORDSHIRE AND WORCESTERSHIRE CANAL NAVIGATION.

Mr. *Lewis Coward* appears as Counsel in support of this Petition.

Messrs. *Grahames and Company* appear as Agents.

The Petition of the CORPORATION OF BEVERLEY (against Alterations).

Counsel reserved.

Messrs. *Durnford and Company* appear as Agents.

The Petition of the LOWER MEDWAY NAVIGATION COMPANY.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

The Petition of FELLOWS, MORTON AND CLAYTON, LIMITED.

No Counsel or Party appears in support of this Petition.

The Petition of OWNERS AND OCCUPIERS OF MINES AND WORKS ADJACENT TO THE STOURBRIDGE NAVIGATION (against Alterations).

Counsel reserved.

Messrs. *Rees and Frere* appear as Agents.

The

The Petition of the SEVERN AND CANAL CARRYING COMPANY.

No Counsel or Party appears in support of this Petition.

The Petition of the COMPANY OF PROPRIETORS OF THE STOURBRIDGE NAVIGATION.

Counsel reserved.

Messrs. *Grahames and Company* appear as Agents.

Adjourned to Thursday next, at Half-past Eleven o'clock.

Die Mercurii, 20° Junii, 1894.

PRESENT:

Duke of RICHMOND AND GORDON.
Earl of LAUDERDALE.
Lord CLIFFORD OF CHUDLEIGH.
Lord HAWKESBURY.

Sir WILLIAM HOULDSWORTH.
Sir RICHARD PAGET.
Mr. JOSEPH RICHARDSON.
Mr. SPICER.
Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

CANALS OF THE LONDON AND NORTH WESTERN COMPANY.

HUDDERSFIELD CANAL.

Mr. *Pelham.*] MAY I mention what was your Grace's decision yesterday in order that it may be quite clear upon the Notes about the Bills which are not yet before the Committee, which have now been referred by both Houses to the Committee. I understood that the Committee decided that Bills Nos. 4 to 6 would be considered on the 28th. That day has been fixed for the purpose of setting the day on which the petitions must be presented. The effect will be that as regards those three Bills relating to the Birmingham Canal, the Regent's Canal, the River Lee, and other navigations, the petitions would have to be presented by Friday next, the 22nd. I understand that the Committee ordered that amendments to those Bills should be sent in in the usual way by Monday next, the 25th. As regards Bills Nos. 7 to 12, I understood you to fix July 5th, the result being that petitions against those Bills must be presented by Friday 29th, and that the amendments to those Bills must be sent in in the usual way by Monday, 2nd July?

Chairman.] Yes.

Mr. *Pelham.*] I do not know whether it will be convenient for me to mention that, after the decision of the Committee last night with regard to the Huddersfield Canal, I prepared a clause, and perhaps it would be better that I should read it, and then it will be seen upon the Notes, and anybody may make a suggestion about it before the Bill is passed. "On page 14 omit first paragraph of Special Section (1.) and insert in lieu thereof" the following paragraph: "(1.) Where merchandise is conveyed in a boat which passes through one or more locks on the Huddersfield Canal (except the part known as the Sir John Ramsden's Canal) the company may charge a minimum toll of two shillings and six-

pence, or where merchandise is conveyed in a boat on that part of the Huddersfield Canal known as Sir John Ramsden's Canal or on any other canal of the company, and not hereinbefore mentioned, the company may charge a minimum toll of five shillings.

"Where merchandise is conveyed in a boat which passes through the Summit Pool of the Huddersfield Canal between Diggle and Marsden the company may charge a minimum toll of ten shillings."

Mr. *Waghorn.*] That should be 5*s.*?

Mr. *Pelham.*] No, that was not touched. "At page 15, line 13, after 'shall' insert 'except where it is otherwise expressly provided.'"

Chairman.] As regards C. and A., does it mean that one charge is to be upon the broad part and the other upon the narrow?

Mr. *Pelham.*] Yes, the Huddersfield Canal, except Sir John Ramsden's Canal, is the narrow part of the canal.

Sir *William Houldsworth.*] You speak of "or on any other canals."

Mr. *Pelham.*] Yes, there are other canals, the Coalport and other canals.

Sir *William Houldsworth.*] Are they broad canals?

Mr. *Pelham.*] I do not know; that was not before the Committee; the witnesses did not refer to that.

Sir *Richard Paget.*] The decision of the Committee was with regard to broad and narrow canals, 2*s.* 6*d.* in one case and 5*s.* in the other.

Mr. *Lewis Coward.*] I may mention that the London and North Western Company are under

 some

some misapprehension, they did not know that this matter would be mentioned this morning, they are coming up now.

Mr. *Waghorn.*] Imagining the case to be concluded, I have not my amendments here, but the amendment put in by the Lancashire and Cheshire Conference, and Messrs. Fellows, Morton, and Clayton touches every point where 5*s.* or 10*s.* was put instead of 2*s.* 6*d.* and 5*s.*; and when the question was raised as to what amendments were or were not before the Committee, Mr. Pope said: "All these amendments are consequential."

Chairman.] No, I do not think so.

Mr. *Pelham.*] The 10*s.* for Summit Pool has nothing to do with locks.

Chairman.] We need not go into that.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(Canals of the Great Northern, and certain other Railway Companies).

Canals belonging to the Manchester, Sheffield, and Lincolnshire Railway Company.

Mr. *Worsley Taylor.*] I am with my learned friend Mr. Lewis Coward for the Manchester, Sheffield, and Lincolnshire Railway Company, and it will be convenient that we should hand in to the Committee certain plans showing the system of canals; and if your Grace will look at page 20, Clause (v.), you will find this: "For the purposes of this Schedule — The canals of the company known as the Ashton Canal, the Peak Forest Canal, and the Macclesfield Canal, shall be treated as together forming one canal in one Schedule referred to as the 'Western Canal.'" Then follow words dividing the canals into three groups; the first being the Western Canal, the second the Eastern Canal, and the third the Chesterfield Canal. There are separate plans showing the three groups granted under the Bill by the Board of Trade, and it will be convenient if the Committee will have this before them as something will turn upon that grouping. I have not that map before me, but there is a separate plan with regard to the Western Canal, and the Western group, which comes first in the Bill, consists of the Ashton Canal, the Peak Forest Canal, and the Macclesfield Canal. That forms one group. You see those are in the Manchester district, and altogether they comprise 59 miles. Then next comes the eastern group starting with the Sheffield Canal, that is the little bit from Sheffield to Tinsley.

Sir *Richard Paget.*] Cannot we confine ourselves to one group?

Mr. *Worsley Taylor.*] We cannot do that; they are mixed up together; and a great deal will turn in the discussion upon that.

Chairman.] Whom do you represent?

Mr. *Worsley Taylor.*] The Manchester, Sheffield, and Lincolnshire Railway Company; they are owners of all these canals. The first bit, as I have said, is the Sheffield Canal, from Sheffield to Tinsley. Then comes the River Dun Navigation, which is the brown and yellow, from Tinsley on to Stainforth and Fishlake. Then comes the Dearne and Dove Canal turning back to Barnsley; then the Stainforth and Keadby, the green, running from Stainforth on to Keadby, where it gets to the Trent. Then there is a separate piece, which I call the third group, which is the Chesterfield Canal, marked in blue towards the bottom of the map, it runs into the Trent; it will be rather higher up than Keadby. The Committee will see from the maps that those three systems are altogether distinct: The first group stands by itself in the Manchester district; the second is the whole of the South Yorkshire district; and then the third district is called the Chesterfield Canal. The first group is 59 miles; the second 59 miles; and the third, the Chesterfield, 46 miles. I may say this, with regard to some part of them, that they run through mining districts, and they are more costly in the matter of maintenance. This can be said of the Sheffield Company, that they have acquired no single one of these canals for the purpose of dealing with the traffic by rates or otherwise with the intention of diverting traffic from the canal to the railway. In not one single case have they acquired these canals of their own motion; they have all been acquired piecemeal in old times in accordance with the then policy of Parliament, which was that canals and the interests of the traders upon them required protection against railways. The consequence was that when the Sheffield Company, or their predecessors, were before Parliament, the purchase of these canals was forced upon them, because it was thought that otherwise the canal interests might suffer. They were obliged, therefore, against their will, to take over these canals at the price of getting the concession for their railway; and, at the same time, they were obliged to guarantee the shareholders upon the canals against loss. The money amount of the benefit that they were forced to enter into came to a sum of about 85,000*l.* a year. Now, the net receipts upon the whole of this distance, dealing with it as a whole, after deduction of working expenses, charging nothing for capital and calling it net receipts, amounted to 37,000*l.* a year, or thereabouts. So that, as things stand now, the result of this whole transaction, and of the working of these canals and the guarantee together, is, that there is a net loss to the Sheffield Company of about 48,000*l.* a year.

a year. The effect of the Board of Trade figures will be to add on to the existing loss of 48,000*l.* another fresh loss amounting to 12,500*l.*; that will be in addition to the existing loss of 48,000*l.* It is true that if the figures were taken as they appear upon the paper, there would be a set off; because in some few cases there is a possibility of increase, and if we charge the maximum in all cases, and could charge it, it might be said that we should have to set off against that loss of about 12,000*l.* the increases, which would amount to 3,000*l.* Even in that way there would be an absolute loss of 9,000*l.*; but that increase of 3,000*l.*, taking it as a round figure, is only an apparent one, a paper one; we cannot charge it because the traffic will not bear it. Therefore the real figure of loss is that which I gave at first, 12,000*l.* a year, though I gave it subject to that explanation, because I desire to deal frankly with the Committee. We have already got a loss of 48,000*l.* in consequence of the action of Parliament in the past, not in consequence of our voluntarily entering upon the undertaking, and it is a hard case that we should be saddled with a further loss amounting to 12,000*l.* a year. It is a hard case for another reason. It has been urged in other cases that the result of the policy of railway companies getting hold of the canals has been to starve the traffic upon the canals and get it upon their railways. That cannot be said in this case. It never has been said; no trader has ever suggested it in the past; and I venture to say further beforehand, that no trader will come and say that it has been the policy of the Sheffield Company in the past; on the contrary, we have done our best to cultivate traffic upon the canal as well as on the railway. The real figure of the total traffic carried upon the canal (I say "carried" because we are not carriers but toll takers) shows that that is so; because the traffic upon these canals amounts to no less than 1,400,000 tons, call it a million and a half tons; and that is good evidence to start with, that we have done our best to encourage traffic. Nobody has said that our policy has been otherwise than friendly towards the canals. These decreases have been put upon us by the Board of Trade, not at the instance of any trader using the canal. I was not before the Board of Trade, but I believe it was the fact that no single trader complained that in any case were the rates which we were then charging and are now charging in any way too high. I think that that also is one proof that nobody will come before you to complain of our rates being high. Therefore, as I say, it is a hard case. So far from it being the fact that anybody complained that our tolls on the canal were too high, we have absolutely had complaints from the traders who were carrying on their business in competition with the people upon our canal, but who have only got railway accommodation, that by too low rates upon the canal we were absolutely favouring the people upon the canal as against the people on the railway, which is a very unusual circumstance; but it is the fact. They say, we cannot carry on our business upon the railway because your rates upon the canal for our rivals are lower than we can successfully compete with.

Then there is another matter which we venture to think has an important bearing upon this question. The principal loss, your Grace will find, when dealing with the figures, out of the 12,000*l.* is upon grain which is imported from abroad, and timber which is imported from abroad, from the Baltic ports, and imported iron, raw iron, which comes from Sweden, and manufactured iron, Belgian castings, and so on. Upon these three articles, if the figures that I have are correct, the loss would be 7,400*l.*, in round figures, out of the total of 12,000*l.*, which I have already referred to. Now, the whole of those are imported articles, some articles coming into competition with our own produce, and the grain and the Belgian castings coming into competition with our own goods. If anybody gets any benefit out of it it will not be the English producer, but the foreign producer. And, further, there is this to be said, that it is doubtful whether any benefit will accrue to the public, because we are not carriers upon the canal, we are only toll-takers. Therefore if anybody in this country gets any benefit, if it is not absorbed by the foreigner, it will be the carriers. Now, the carriers are not bound by the Railway and Canal Traffic Act, and, therefore, if these tolls are put down, if anybody in this country gets any benefit at all it is exceedingly doubtful whether the public will get it, but it will go into the pocket of the carriers. If you enforce these deductions it is very doubtful whether anybody in this country will get any benefit at all; if they do it will not be the public but the carriers. Under these circumstances, we think this a hard case, and we respectfully ask the Committee to give it their most favourable consideration. Under these circumstances we would ask that care be taken that additional loss in addition to the 48,000*l.* loss be not inflicted upon the company, they having done their best to foster this traffic, and being willing to foster it hereafter. Under these circumstances we propose to modify this scale of tolls in the Bill in the direction of raising them. I do not go into the details of how we propose to do that at present. I may remind the Committee why it was I troubled them with an inspection of the maps and an explanation as to the grouping of the canals. Under the Order, as I have already explained, these canals are divided into three groups, the eastern, the western, and the Chesterfield, but while there are three groups on page 20 of the Bill, when we come to page 21 there is only one scale of tolls applicable to the whole of these three groups; that has been our difficulty, and it is a difficulty I wish to call the attention of the Committee to at the earliest possible moment, in framing our suggested Table of Tolls, because it will be found when we come to the evidence that the traffic on the three groups is absolutely and entirely different, and it is different in the articles which we carried which form the staple trade of each group, and it is different also as to the distance the traffic is carried. On the eastern group the principal articles carried are those on which the principal loss occurs. On the eastern group our principal carriage is grain,

timber, pig-iron, and the manufactured Belgian iron, the loss on which amount to 7,400*l.* odd. That traffic is mostly carried over the whole length from the Trent to Sheffield. Now, when I come to the western group, which I may call the Manchester group, the principal articles are coal and cotton; and whereas in the former case grain, timber, and iron passed the whole length on the western group, the coal and cotton traffic is short-distance traffic. Therefore the articles which are the staple trade of each differ, and the distance for which they pass over the canal differs. Under these conditions it is exceedingly difficult to frame one Schedule which would be just and fair as between the company and the public if it is to apply to the whole canal, the circumstances of the two groups differing entirely. Nothing much turns upon the Chesterfield Canal; the real difficulty is between the eastern canal and the western canal, but we thought it would have been more convenient if we could have had two Schedules, one applicable to the eastern group and the other applicable to the western group. I will give an instance to exemplify our difficulty. On the eastern group the total loss amounts to 7,428*l.*; out of that the loss on grain amounts to 2,660*l.* Now, grain is in Class C.; we want, therefore, some figure that will leave us about as we are with regard to Class C., with the intention of covering our loss on grain, amounting to 2,660*l.* I say, leave us as we are, with some reasonable margin for alteration of circumstances. The object is to cover the loss; the only way we can do that, there being only one Schedule, is manifestly to alter the figures of Class C. in that Schedule. The effect of that would be, though the object is only to protect us as regards grain, which is the principal subject of loss (to the amount of 2,660*l.*). Class C. being raised, as it must be as a whole, will apply not only to grain but to anything else in Class C., all the others being smaller in amount. We raise Class C. as applying to the whole of the canals, and as applying to all the traffic in that class. The result will be, though we only want to protect ourselves to the extent of our 12,000*l.*, nominally, if you take all that we might charge, charging one maximum over the whole of our system, that instead of merely protecting ourselves against loss to the amount of about 12,000*l.*, apparently and on paper, instead of a loss we should have the possibility of getting an absolute increase amounting to a very large sum, something like 15,000*l.* or 20,000*l.*; that is on our proposed Schedule. Undoubtedly, as a matter of competion, on paper that is the result; nobody can dispute the arithmetic. You take the traffic and you take our revised Schedule, and that would be the result, that instead of protecting ourselves it would be that we should get possibly an increase of 15,000*l.* or 20,000*l.* We do not want that; but we cannot avoid doing that so long as there is only one Table applicable to differing circumstances and differing classes of traffic on the two groups. That it is only a paper increase will become clear when we get to the evidence. The traffic is there, and we have a larger power of charging already. We do not want to exercise that power; the traffic would not bear it. Though there is that paper increase, it will not be one in reality; we only want to secure ourselves against loss. At the same time I admit that there is a possibility on paper. I say not otherwise than on paper, but there it is, and it is right that I should call the attention of the Committee to it, because if we had had the opportunity of proposing two Tables and settling them with by the Board of Trade, this difficulty might by some means have been avoided; it might have been a somewhat complicated matter, but it could have been done in that way, and we should have preferred that it should have been done in that way. Our sole object being not to get an increase by a side wind, but simply to protect ourselves against loss with a fair and reasonable margin, and no more. I need not say anything more about that. I have raised the principal points that will guide the Committee when they come to the evidence. There is one other matter I may mention. We propose certain alterations with regard to the minimum charges for passing through locks; that will turn upon what the cost of lockage is. The Committee having given a decision on the subject of narrow and broad canals, I may say that we propose to abandon one of our proposals; that is a matter of detail which I will not deal with now, but the broad matter will be the cost of the water. On our figures we say the cost of a lock of water upon our canal is 5*s.* 5*d.* to 7*s.* 8*d.* These figures may be subject to some slight qualification. The way we got at the cost was by taking the reservoirs by which our canals are supplied and getting at the capital cost, and dividing that by the number of gallons of water which we get out, but we found when we came to inquire into the matter that in a sense we sell water. I say in a sense, we do not sell what we want for the purposes of navigation; we allow people when we have a surplus of water over what is required for the navigation to make use of a certain portion of that surplus, always on the condition that they return it to the navigation. It was found that there were some receipts in respect of that, and that being revenue which we got partly by expenditure on the reservoirs, it was only right that that should be credited; but, giving credit for that, it will not very materially alter the figure I have given of 5*s.* 5*d.* to something like 7*s.* 8*d.* That is the basis upon which we suggest there should be this increase as the minimum tolls for passing through locks. I need not trouble you with any further observations upon that.

Sir *Richard Paget.*] Do I rightly understand you that you raise the point in your amendment of different scales for your eastern and your western groups?

Mr. *Worsley Taylor.*] No; we merely propose to amend the one scale.

Mr. *Pelham.*] I would like to suggest to the Committee, if they should be of opinion that the scale of tolls on one part of the system was too low, and that it ought to be raised, there might be two scales.

Sir *Richard Paget.*] I understood the learned Counsel in opening to suggest that it might be convenient to have two scales, and I asked whether the amendment was directed to that.

Mr.

Mr. *Worsley Taylor.*] The Board of Trade have considered it preferable to apply only one scale, and that being so we applied ourselves to amending it in the way we desired, our own opinion being that the difficulty might be met by two scales.

Chairman.] Your loss you say is 48,000*l.*

Mr. *Worsley Taylor.*] Yes.

Chairman.] And you say the Board of Trade Schedule increases that loss by 12,000*l.*

Mr. *Worsley Taylor.*] £12,450.

Chairman.] Then your proposed Schedule would recoup you for the loss imposed upon you by the Board of Trade.

Mr. *Worsley Taylor.*] Yes.

Chairman.] Does it do more than that?

Mr. *Worsley Taylor.*] Apparently it would.

Chairman.] To what extent would it touch your 48,000*l.* loss.

Mr. *Worsley Taylor.*] I understand there might possibly be, as the result of all the charges together, an increase of from 15,000*l.* to 20,000*l.* It would apparently turn the 12,000*l.* fresh loss into a gain on paper of 15,000*l.* to 20,000*l.*; if we could get that it would wipe off the 48,000*l.*; it would be 15,000*l.*; it would convert a loss of 12,000*l.* into a gain of 15,000*l.* if we could get it.

Chairman.] Then that would affect your present loss of 48,000*l.*

Mr. *Worsley Taylor.*] Yes, it would be 15,000*l.* deducted from the 48,000*l.*, if we could get it.

Chairman.] Yes.

Mr. *Whitehead.*] I should like to ask my learned friend one question, whether he is going to separate his evidence with regard to these eastern and western systems, it would be convenient for the traders and perhaps for the Committee if they dealt with all the evidence with reference to the eastern canals first and with regard to the western canals second, or *vice versâ.*

Mr. *Worsley Taylor.*] There are separate statements relating to each? I think we can take them quite separately.

Mr. *Coward.*] I will try and keep them as separate as I can, I will deal with the Eastern first.

Mr. *Worsley Taylor.*] I think it will be a convenient thing to deal with each separately, we can separate the statements with regard to them.

Chairman.] I do not want to interfere with the way you manage your own case.

Mr. *Worsley Taylor.*] I think probably it will be convenient to everybody that we should deal with Eastern first.

MR. CHARLES THOMAS SMITH, is called in; and, having been sworn, is Examined, as follows:—

Mr. *Coward.*

1333. ARE you the goods manager of the Manchester, Sheffield, and Lincolnshire Company?—I am.

1334. And you are well acquainted with the system of canals owned by that company?—Yes.

1335. Have you been in the room whilst my learned friend Mr. Worsley Taylor described the various canals to the Committee on the map?—Yes.

1336. You heard him describe the grouping and so forth?—Yes.

1337. Is that correct?—Yes.

1338. I will not go through the various canals in detail. Is it the fact that the Manchester, Sheffield, and Lincolnshire Company, or some other railway company, their predecessor, were originally compelled to purchase these canals?—Yes, certainly.

1339. The governing cause of the purchase throughout being what?—So far as we could tell the opposition of the then owners of the canal to the proposed railways being made.

1340. And, therefore, these canals, I suppose, became subsequently transferred to the Manchester, Sheffield, and Lincolnshire Company with all their obligations?—Yes.

1341. Amongst those obligations was there the guarantee which has been mentioned by my learned friend Mr. Worsley Taylor, namely,

Mr. *Coward*—continued.

85,000*l.* per annum?—Yes, the actual figures were 84,352*l.*

1342. Your total traffic is 1,400,000 tons?—It was so in 1882.

1343. The average net receipts of the canals during the five years ending December 1892 were how much?—£.37,308 per annum, those were the average net receipts after deducting working expenses.

1344. During the five years ending December 1892?—Yes.

Mr. *Coward.*] I do not know whether my learned friend would like to have the figures in detail; I can give the five years in detail.

Mr. *Waghorn.*] I have the figures.

Mr. *Coward.*

1345. Then I will not burden the Committee with them. (To the *Witness.*) Does that include rents of land?—Yes.

1346. Leaving a net annual loss of how much?—£48,000 per annum.

1337. To what extent would the tolls proposed by the Board of Trade reduce the gross earnings of the canal?—In the statements that have been handed to the Committee they will see a summary headed "Comparison of yield of present tolls with the yield which would be obtained by adopting the maximum suggested by the Board

Mr. *Lewis Coward*—continued.

of Trade," and that shows a loss on the traffic for three months of 3,110*l.* 13*s.* 11*d.*, that multiplied by 4, to get the yearly total, amounts to 12,442 15*s.* 8*d.*, or, in round figures, 12,443*l.*

Sir *Richard Paget.*] That is the aggregate of them all?

Mr. *Lewis Coward.*

1348. Yes, on the eastern canals it is the aggregate. I want to ask this one question. Is this three months ending September 1892?—The traffic is got out for the three months ending September 1892.

1349. Will you tell the Committee why you have selected the three months from the period ending September 1892?—Because on looking at the various circumstances of the other periods of that year we considered it the best to take.

1350. Take the three months ending December 1893; was there a cotton strike?—Yes.

1351. In the three months ending March 1893, was there a cotton strike and a frost?—Yes.

1352. In the three months ending June 1893, was there a strike at Hull, the trade not having recovered from the effects of the cotton strike?—It was so.

1353. Was there during the six months ending December 1893 a coal strike?—There was a coal strike.

1354. Therefore you had to go back and take the three months ending September 1892?—Yes, we went back to that period because it was considered the fairest we could take, and that is amply justified by the result. As a matter of fact, if the Committee will turn to the summary again, they will see that the total yield of the present tolls in the first column amounts to 69,391. That is multiplying the three months by four; the actual receipts of the canal taken from our half-yearly report come to 69,599*l.*, only a difference of 200*l.* on the total year's traffic, so that it is clearly demonstrated that the three months is an average one.

Sir *Richard Paget.*

1355. Is the last figure that you gave on this paper?—No, it is not. The receipts from our half-yearly reports for June and December, 1892, are not upon that paper; but, as a matter of fact, they amount to 69,599*l.*, as against 69,391*l.*, the total shown upon that paper.

Mr. *Lewis Coward.*

1356. So that it is obvious from that that the period in question, namely, the three months ending September, 1892, is the best and most recent that could have been taken to arrive at a fairly average traffic?—I think so.

Chairman.

1357. On the eastern canal?—The learned Counsel is examining me upon the total at the moment.

Mr. *Lewis Coward.*

1358. The total of the canals generally?—If you look at the total for the year at the bottom you see 69,361*l.*

Chairman.

1359. In the third column there is an increase of 3,520*l.* 14*s.*, and there is a loss of 12,442*l.* 15*s.* 8*d.*; but then, if you deduct the increase from the loss, it leaves 8,822*l.* and not 12,000*l.*?—I shall be able to prove that the increases on what the learned Counsel, Mr. Worsley Taylor, stated were paper increases; we cannot possibly enforce them if we want to do so.

1360. I understand, if you were able to get your maximum tolls, you would have an increase of 3,500*l.*?—No, not quite that. We should have what your Grace stated before, a net loss of about 9,000*l.* instead of 12,000*l.*

1361. You put down 3,520*l.*?—Yes.

1362. That is, supposing you were able to charge the tolls to get it?—Supposing we were able to charge the full maximum powers proposed by the Board of Trade, we should still lose on the one hand 12,442*l.*; but, on the other hand, we should be able to charge an increase on some of the traffic amounting to 3,520*l.*, leaving us with a net loss of 9,000*l.*

1363. That is what I said?——

Mr. *Lewis Coward.*] That is exactly what your Grace said.

Chairman.

1364. You say that it is a paper increase, because the traffic will not bear sufficient tolls to give you that sum?—Yes.

Mr. *Lewis Coward.*

1365. Therefore, if you attempt to charge these increases authorised by the Board of Trade Schedule, it will kill the traffic?—To a certain extent, no doubt.

1366. As to the eastern canals with regard to the general loss, this, of course, reduces the net receipts of the canals by a similar amount?—Yes.

1367. The company are only toll-takers, are they not?—That is so.

1368. Therefore, on the working, there can be no reduction made of expenses?—Certainly not. We should have to maintain the canal in its present condition, whether 20 boats or 200 boats went through it.

1369. What would be the net loss after paying the fixed charges?—It would be increased from the present amount of 48,000*l.* to, in round figures, 60,000*l.*

1370. That is an increased loss of 25 per cent.?—Naturally.

1371. On what traffic would the proposed Schedule inflict the greatest loss?—Am I to deal with it as a whole?

1372. Yes?—On the western section the greatest loss is on coal; on the eastern section the greatest loss is on those articles which were mentioned by Mr. Worsley Taylor.

1373. Which are grain, timber, pig-iron, and iron and steel?—Yes.

1374. Is the bulk of this imported traffic brought from foreign countries?—Practically the whole of it.

Chairman.

1375. That is on the eastern?—On the eastern.

1376. Is

Mr. *Lewis Coward.*

1376. Is it brought into the Sheffield district in strong competition with the production of home manufacturers?—Naturally it must be so.

1377. Have you considered the fact that the reducing of these tolls on foreign oats, barley, and wheat, would have a serious effect upon the farmers of Lincolnshire and Yorkshire?—Yes, they are handicapped to some extent now, and if the tolls were further reduced, they would be still further handicapped, because from many parts of Lincolnshire and Yorkshire there is no canal communications.

1378. As to the scale of tolls proposed by the Board of Trade, at present there is only one scale applicable to the three groups?—Yes, in the proposed Bill.

1379. As you said; the traffic is very different?—It is not only different, but a particular kind of traffic.

1380. That is as to the staple trade, but how about the distance?—It is different also in the distances over which it traverses the canal; when we go into the detailed statement handed in, that will be demonstrated very clearly.

1381. On the eastern, is it long or short-distance traffic?—Mainly long-distance traffic.

1382. On the western it is mainly short-distance traffic?—Yes.

1383. Has it been very difficult for you to frame one Schedule of tolls?—It has.

1384. It would have been more convenient to have had two Schedules?—We think so.

1385. But taking the Schedude proposed by you on the whole, is it the fairest that can be made under the circumstances?—Under the circumstances of the case we think it is.

Chairman.

1386. You mean under the circumstances of the one Schedule?—Under the circumstances of the one Table.

Mr. *Lewis Coward.*

1387. As my learned friend Mr. Worsley Taylor stated in opening on the Schedule proposed by you, there is a possible power of increase of 15,000*l.* to 20,000*l.*?—Yes.

1388. But is it possible that it could be charged?—Certainly not; it follows *a fortiori* that if we cannot charge the 880*l.* on the proposal of the Board of Trade, it is still clearer that we cannot charge the 15,000*l.* which our proposed Schedule of Tolls would give us.

1389. Now I will take you to the figures that you have prepared with regard to the eastern canal; have you the book before you?—Yes.

1390. The Committee have before them the printed Notes which are paged?—Yes.

1391. I will deal with the eastern canal?——

Sir *Richard Paget.*

1392. Have you any statement showing the effect of your proposals to put alongside this?—No, we have not.

Mr. *Lewis Coward.*

1393. To what page do you wish the Committee's attention directed first?—Take the staple articles mentioned in the Table which Mr. Worsley Taylor has. On page 16 you find the particulars with regard to grain.

Mr. *Lewis Coward*—continued.

1394. Take from Keadby to Thorne, a distance of 10 miles, your present rate, including wharfage for 10 tons, is 1*s.* 3*d.*?—Yes.

1395. That would yield 12*s.* 6*d.*?—Yes.

1396. The proposed maximum rate is 8½*d.*?—That is so.

1397. I am asked to deal first with page 14, which gives a summary of iron, grain, steel, and timber, and so on; the amount of tons of grain carried over this period, namely, the three months ending September 1892, was 14,735 tons; the present rate of tolls is 2,257*l.* 18*s.* 9*d.*; by the proposed charges it would be 1,612*l.* 10*s.* 7*d.*, showing a loss of 645*l.* 8*s.* 2*d.*?—Yes.

1398. That is a correct figure?—Yes.

Sir *William Houldsworth.*

1399. Is that for three months?—Yes.

1400. That has to be multiplied by four for the year?—Yes.

Mr. *Lewis Coward.*

1401. Is there any possibility of increase there?—None whatever. I took you to page 16 in order to show that.

1402. Now take the next one, "Iron and Steel"—amount, 12,283¾ tons; present rate, total for three months, 1,834*l.* 18*s.* 8*d.*; by the proposed charges 1,503*l.* 7*s.* 2*d.*, showing a loss of 331*l.* 11*s.* 6*d.*; that is for the three months ending September 1892?—That is correct.

1403. Now if the Committee will carry their eye down to the last item upon the page, timber, the amount is 11,866¼ tons, present charges, 1,679*l.* 16*s.* 5*d.*; proposed 1,224*l.* 4*s.* 8*d.*, showing a loss for the three months of 455*l.* 11*s.* 2*d.*?—That is correct.

1404. Now I will follow you?—In the details of the grain on page 16, the Committee will find the details of every ton of traffic carried over the canals in the three months, making the total which is carried forward to the summary on page 14, and the amounts which have been read out by the learned Counsel. You will see there that in no single instance do the proposals of the Board of Trade enable us to raise a single toll upon grain; everyone of them are absolute losses. It is the same thing if you turn to iron and steel upon the next page, page 17. That is the total tonnage carried over any portion of the canal for the three months; and there again there is no possibility of a recoupment, but every rate and toll is an absolute loss.

Mr. *Spicer.*

1405. Does that iron and steel include raw and manufactured?—To a certain extent it does.

1406. What is the proportion?—I can let you know later on. I have the details here; I can let you know to-morrow morning.

Mr. *Lewis Coward.*] It shall be got out for you. Have you it at your office in London?

Chairman.] I sincerely hope this part of the case will be over before that time.

Witness.] I can give it you in a very short time.

Mr. *Pelham.*

1407. It is all Class C., therefore it would not be raw iron?—It would include the rough bars.

Mr. *Lewis Coward.*

1408. Will you proceed and go on to pages 20 and 21?—Those are the details of timber where the same thing again applies; there all the entries show an absolute loss; there is not a single case where there is a probability of an increase.

1409. With regard to the item of loss on timber on page 14, of 455*l.* 11*s.* 9*d.*, is this the detail?—This is the detail.

1410. Carried over on to the 20th page?—Pages 20 and 21 give the details.

Chairman.] It is all very clear upon these Tables.

Mr. *Lewis Coward.*

1411. Have you anything further to say upon that?—I should like to say one thing about where it is shown in the summary, on page 14. You will see upon silver-sand there is a probability of our gaining something by imposing a higher toll; we should have the power to impose a higher toll than we at present do upon that traffic; but if you turn to page 16, you see that gives the details of it. But I would like to say with regard to that, that there is no possibility of our attempting to enforce the probable and possible increases, because, of course, the whole of this silver-sand goes to manufacturers of glass bottles and glass, and if we attempted to raise the tolls upon it, it would simply kill the traffic, and very likely be the cause of removing the works from these various places to some other district. We are not likely to kill the goose that lays the golden eggs. It is traffic for us, and everything that means traffic we try to encourage.

1412. In other words the traffic will not bear the toll?—No.

1413. And we should lose the traffic if we attempted to put it on?—Yes.

1414. Are there any further items on the eastern canals which you wish to draw the attention of the Committee to?—No, we have touched upon the principal items making up the bulk of the loss.

1415. The whole of this means imported timber, in the same way with the wheat, because it was from Keadby?—Not quite the whole.

1416. All from Keadby would be imported?—The first items would not.

Mr. *Richardson.*

1417. Taking the general items in that class, grain, iron and steel, and timber, do they all come to Hull or Grimsby?—Not necessarily. Some may come to Goole; the bulk of them come to the Humber ports.

1418. After these rates were raised as suggested by the Schedule, would it drive that particular traffic on to the railway?—We should never think of raising them; what we want to do is to prevent a loss.

1419. If the rates are raised would the effect be to transfer the particular traffic from the canals to the railways?—If raised unduly.

1420. That is not the point I ask. Would the rates that you propose have the effect of doing so?—No, not in this particular instance.

1421. In no instance?—The tolls that we propose on the eastern section of the canal would only just barely cover the losses shown; we should not have the power.

Mr. *Richardson*—continued.

1422. That is not the point; I want to know whether in your opinion the raising of these rates, which in one sense may recoup your losses, may not on the other hand increase your losses by traffic going on to the railway?—The proposals that we make to the Board of Trade would not have the effect of raising our present tolls as put down in these columns; it would have the effect of raising the proposed tolls in the proposed columns; it would not interfere with our present tolls at all.

1423. It is as to your proposed tolls that I want the information?—The proposed tolls would not raise the present rates.

1424. How do you recoup your loss if they do not raise your rates?—The loss is only if the proposal of the Board of Trade is carried; we want our proposed rates covered, and nothing more.

Mr. *Lewis Coward.*

1425. With regard to the one question of coal which is common to the whole system, I will ask, is it the fact that by your proposed rate the rate on coal would be a trifle more than the present maximum, mainly to meet the case of the western district?—Yes, mainly to meet the case of the western district.

1426. Will you explain that?—On the western section of our canal we have at the present moment a higher power of charge for coal than we have upon the eastern section, and, furthermore, the coal travels distances of from three to five miles; on the eastern section of the canals the coal travels over 20 miles, as a rule.

Chairman.] You must keep the eastern and western sections separate.

Mr. *Worsley Taylor.*] The difficulty is this: my learned friends on the other side may attack this by saying that it may be prejudicial to the coal interest upon the east, and we want to explain what will happen to us, not only on the east, but upon the west, and our justification is upon the west. My learned friend will attack it upon the east. With regard to the east we are entirely contented with our present rates. The reason that we have for putting this above our present rate upon the east is to guard ourselves from loss upon the west. That is the difficulty we have in making one Table.

Chairman.] There is the eastern portion and the western portion. We are now dealing with the east.

Mr. *Worsley Taylor.*] We were endeavouring to separate them. Your Grace appreciates my difficulty; my learned friends can cross-examine and show that our proposal which applies to the east will hurt them in the west. Our answer is that we agree; but we do not want it to be so, and if we can arrange to have two tables we can meet them upon that matter because we do not want to increase our rates.

Chairman.] It seems to me that a good deal of the difficulty arises upon Class C., not upon Classes A. and B.

Mr. *Worsley Taylor.*] The difficulty upon the east arises upon Class C.

Chairman.] I speak of the east. I have nothing to do with the west, the difficulty arises upon Class C. with regard to the east.

Mr. *Worsley Taylor.*] Mainly.

Chairman.] Therefore if you had a separate scale for the eastern division, with a sufficient toll upon Class C., it would meet your view?

Mr. *Worsley Taylor.*] Undoubtedly.

Chairman.] But would the other side have anything to say to that; do you object to Class C. upon the eastern part being dealt with separately, Mr. Waghorn?

Mr. *Waghorn.*] No, your Grace.

Mr. *Whitehead.*] No, we do not.

Chairman.] Then I should like to hear if the Board of Trade have anything to say upon that point?

Mr. *Pelham.*] I should like to make it quite clear that the Board of Trade have, without expressing for a moment an opinion upon the quantum, no possible objection to have separate tables for the east and the west. What they would object to would be this: Supposing it were proved to the Committee that a higher toll was necessary for the eastern side, they would object to putting in that toll for the western side where it was not wanted.

Mr. *Worsley Taylor.*] We should not use the argument, because it was put in for the eastern that justified it being put in for the western.

Chairman.] Each case of the eastern and western districts will stand upon its own merits, and because something was done for the eastern division it would not follow that the same thing should be done for the western.

Mr. *Worsley Taylor.*] Not at all. If it was so we might go on as we are.

Mr. *Pelham.*] Possibly a higher toll may be given for grain, timber, and iron on the eastern canals, leaving alone the question of the western canals for the moment, but grain, timber, and iron, upon which the principal loss is incurred, might be put in a little higher class than other articles in Class C. I do not know what influence it will have with the Committee, but most of these articles, grain, timber, and iron, are foreign imported articles; therefore it is not so much a question of diversion from the canal to the railway; and I think possibly grain, timber, and iron might have a higher toll for the eastern canal.

Mr. *Worsley Taylor.*] That being so, as we are agreed upon the matter of principle, what would be the most convenient way for the Committee to deal with it? Might I suggest to your Grace that we might save the Committee a considerable amount of trouble if we had an opportunity of meeting the Board of Trade upon this matter, it may be that we can arrange this.

Chairman.] I think that would be a good thing. I understand that Mr. Whitehead and Mr. Waghorn do not object to the separate scale or to the charge; therefore, whatever you may settle or arrange with the Board of Trade, we shall hear and we shall see whether there is any objection to it.

Mr. *Worsley Taylor.*] There may be a difference between us and the Board of Trade; if so, we could minimise the traffic. Then that would stand over.

Mr. *Pelham.*] I understand there is no other objection to the eastern?

Mr. *Waghorn.*] We have no *locus standi* in the case of the eastern canals. I do not propose to say a word about those.

Mr. *Whitehead.*] One word on behalf of the Mining Association. I want the thing to be quite clear. Our objection brings in the coal traffic upon the eastern canal, and I understand my learned friend to say that he does not now propose that there shall be an initial charge of 0·75*d.* in Class A., but is willing to accept the Board of Trade figure of 0·50*d.*, and so on in respect of coal.

Mr. *Worsley Taylor.*] What I said was we did not seek to increase our present rate.

Mr. *Spicer.*] Your Grace, I have had handed to me these figures: unmanufactured iron amounts to 10,624 tons, and manufactured iron only amounts to 1,659 tons. That seems to me to make a great deal of difference, looking at it as an Englishman.

Mr. *Whitehead.*] The larger portion of that iron went to Sheffield, which is a manufacturing town.

Mr. *Spicer.*] They want all they can get of the unmanufactured iron.

Mr. *Worsley Taylor.*] We accept the Board of Trade figures as to coal on the eastern canals.

Mr. *Pelham.*] I understand that Mr. Worsley Taylor accepts the table of the Board of Trade for the eastern canals except as regards the three articles.

Mr. *Worsley Taylor.*

1427. (To the *Witness.*) Is that so?—Yes.

Mr. *Whitehead.*] As regards these three articles all parties will be entitled to be heard when the matter comes up before the Committee again.

Chairman.] Yes.

Mr. *Worsley Taylor.*] Then your Grace sees there is left the matter of the proposed increase on the Board of Trade figure in respect of coal and mainly on the western portion.

Chairman.] You had better confer with the Board of Trade in respect of the eastern part and make a proposal to us which we shall hear the other side upon.

Mr. *Pelham.*] I have no proposal to make with regard to the western section. I understand the company propose a considerable increase on coal in Classes A. and B. on the western canal.

Mr. *Worsley Taylor.*] Yes.

Mr. *Pelham.*] As at present advised the Board of Trade are against it.

Chairman.] All we have to do is to adjourn the eastern case until there is some tangible proposal before us and then we shall hear the other side. Now we can go the western canal.

Mr. *Lewis Coward.*

1428. (To the *Witness.*) Now take the Tables on the western in the same way as we work them through on the eastern; on page 2, on the western canal, you have a summary?—Yes.

1429. During the same months, namely the three months ending September 1892, the coal traffic was 61,110 tons, present charges, 1,120*l.* 12*s.* 5*d.*; proposed yield, 729*l.* 10*s.* 8*d.*, showing a possible gain of 28*l.* 9*s.* 1*d.*, and a loss of 419*l.* 10*s.* 10*d.*?—Yes.

1430. Then A. and B., except coal, 46,956¼ tons, present charges, 1,261 2*s.* 8*d.*; proposed yield, 1,396*l.* 16*s.*, showing a possible gain of 324*l.* 16*s.* 8*d.*, and a loss of 189*l.* 3*s.* 4*d.*?—Yes.

1431. I do not think I need deal with the other small items, giving a total loss of 637*l.* 5*s.* 10*d.*, with a possible gain of 429*l.* 4*s.* 1*d.* Is that gain possible?—No, it is not.

Sir *Richard Paget.*

1431.* These figures being for three months?—Yes, ending September 1892.

Mr. *Lewis Coward.*

1432. They are taken out during that period for the same reason, owing to the strike?—Yes, the reasons operated over the whole length of the canal.

1434. What are your present powers with regard to the rates and tolls?—On which canal?

1435. They differ on each canal?—Yes.

Mr. *Whitehead.*] Take the Macclesfield.

Mr. *Lewis Coward.*

1435. My learned friend asks for the same rate for coal upon the Macclesfield canal?—A penny per ton per mile for 13 miles; that is for coal, then to pass free, in other words we have power to charge 1*s.* 1*d.* per ton for the whole length of the canal.

1436. What is your actual charge?—It varies according to the distance.

1437. I am asked to put a question to you as to limestone; what is the present power as to that?—Upon the Macclesfield Canal the present power for limestone generally is a halfpenny per ton, but there is an exemption from that which is proposed to be moved by Messrs. Brunner, Mond, and Company, and is in one of these amendments.

1438. You have given us a summary: are there any of the details of the summary that you wish to allude to in the print?—Not particularly, unless I am cross-examined.

Mr. *Lewis Coward.*] I shall leave it there to be cross-examined upon if necessary.

Sir *William Houldsworth.*

1439. Have you have had any complaints from traders as to the state in which the Manchester, Sheffield, and Lincolnshire Company keep their canal?—None whatever. I have been connected with the company for 27 years, and I do not remember having heard or seen of any such complaint.

Cross-examined by Mr. *Waghorn.*

1440. Referring to the fourth page of these Tables, that is not traffic over the Rochdale Canal?—No, it is traffic coming from the Rochdale Canal.

1441. Over your canal?—Yes.

1442. It has nothing to do with the Rochdale Canal charges?—No.

1443. You have just told the Committee your maximum power for coal is 1*d.* a ton a mile?—On the Macclesfield Canal.

1444. What are your other maximum powers for coal independently of the 1*d.*?—A sum not exceeding 3*s.* for every boat passing through any lock, that is a minimum charge of 3*s.* a boat; that is what it comes to.

1445. That minimum of 3*s.* is allowed you at the present moment?—And has been taken credit for in these statements.

1446. Look at page 4, traffic to Clayton, you give a distance of 2¾ miles, and you give the loss as 1*l.* 8*s.* 2*d.*; how can you substantiate your present rate of 4½*d.* a ton if you have only a maximum power of 1*d.* per ton per mile?—You are taking the maximum powers of the Macclesfield Canal.

1447. I asked you what they were on the Ashton Canal?—No, I do not think you did.

1448. What are the maximum powers on the Ashton Canal?—Three-halfpence for coal.

1449. How do you get at that?—From the Act of Parliament.

1450. On page 4, in respect of traffic upon which you are at present charging 1½*d.* a ton a mile you show a considerable loss?—Possibly that is so.

1451. In the same manner you have traffic to Edge Lane, a distance of 3¼ miles, and upon which you are charging 5¼*d.*?—That is the present charge.

1452. Exercising your maximum power of charging 1½*d.* a ton a mile?—Possibly so.

1453. Upon that traffic you lose 9*l.* and 7*l.* respectively?—Yes.

1454. Turning to page 5, you have, I see, traffic from the Hyde Colliery to the Huddersfield Canal: you charge 1*d.* a ton a mile there?—Yes.

1455. Upon that you make a substantial amount of loss?—Yes.

1456. Generally, with respect to this coal traffic, the loss in respect of which you are claiming to be recouped is on coal traffic at 1*d.* and 1½*d.* a ton a mile?—Yes, because it is carried such short distances; we are obliged to charge higher tolls for short leads than we should do if the traffic went the whole length of the canal.

Sir *Richard Paget.*

1457. Where it uses wharfage?—Yes, that is explained in this way: when you see the "w" that means that wharfage has been included.

Mr. *Waghorn.*

1458. Now, I will go to page 27. Your Counsel stated, in opening, that the principal traffic on the western canals was cotton?—One of the principal traffics.

1459. The first item in page 27 is cotton; according to the Schedule of the Board of Trade you

Mr. *Waghorn*—continued.

you would lose 4*l.* 10*s.* upon your cotton traffic?—Yes.

1460. Do you think that reduction in your rate is a sufficient reason for altering the whole of the Schedules submitted by the Board of Trade?—I do not think our Counsel asked for the Schedule of the Board of Trade for the western canals to be altered, except with regard to coal.

1461. If your Counsel did ask for anything different you would withdraw it?—I do not think he did.

1462. Then we are to consider that these amendments are withdrawn, except so far as they relate to coal; let us know where we are. I have been cross-examining you upon the supposition that you intended to adhere to all the figures you put in your amendments?—We do not adhere to them now.

Mr. *Waghorn.*] I have not much interest in coal traffic. I have asked one or two questions of the witness, but the main gist of my cross-examination is taken from me.

Mr. *Pelham.*] I do not want to express any opinion about it just now, but I just wish to point out why it is the company lose. It appears that on the western canal the ordinary scale of ·50 is really quite sufficient for anything like the long-distance traffic; where it is not quite sufficient from the company's point of view is in the very short-distance traffic where it comes a little way along the Ashton Canal, I think, or the Peak Forest, and passes off on to the Huddersfield Canal. If the Committee will refer to the second table on page 5, they will see there is traffic going from the Hyde Colliery on to the Huddersfield Canal, that is three miles; then on page 8 you will see "Coal, Dewsnap Basin"; there again there is traffic which goes off on to the Huddersfield Canal, it only goes a mile and three quarters. Under ordinary circumstances, this traffic would be covered by the minimum toll per boat, but here it goes off the canal without passing through a lock on the canal. Therefore, the minimum for the boat does not cover it, and I could not think of any principle on which a higher toll could be given, anything like the minimum toll, because no water is lost; the water, if any is used, belongs to the Huddersfield Canal. That seems to me to go to the question whether something more should not be allowed for that short-distance traffic; I am afraid I am not able to suggest any way in which it should be done.

Cross-examined by Mr. *Whitehead.*

1463. I understand now all you desire to do is to preserve your existing powers on coal. So far as the western canals are concerned, I understand that you are willing to concede to Messrs. Brunner, Mond, and Company what they are asking in respect of limestone?—No; they are asking for an exemption.

1464. No?——

Chairman.] Let us understand what Messrs. Brunner, Mond, and Company are asking.

Mr. *Whitehead.*] I will follow that out.

Chairman.] First of all, what is the amendment that they propose?

Mr. *Whitehead.*] I am not going to deal with their amendment at this moment.

Chairman.] Do not ask the witness what he is willing to concede to Messrs. Brunner, Mond, and Company if you are not going into their amendment.

Mr. *Whitehead.*] The witness's previous answer appeared to cover that amendment; and I want it to be made quite clear whether he intended it to cover it or did not; he said it did not.

Witness.] I said we are content with the Board of Trade proposals for the western canal except for coal.

1465. Coal is in Class A.?—Yes.

1466. And there are lots of other articles in Class A.?—Yes.

1467. Including limestone?—Yes; we are content with the Board of Trade proposals for those.

1468. Do you put coal in a separate class?—Yes.

1469. Let us take limestone. What is your present power on limestone. What is the present power of charge on the Macclesfield Canal for limestone?——

Chairman.] What are you going to now?

Mr. *Whitehead.*] I am interested in limestone; the witness says he is content with the Board of Trade tolls for that. I want to understand why he is content with it.

Chairman.] If he is content with it, that is enough; the question is whether you are content with it.

Mr. *Whitehead.*] I am not. I am not content with the figures as regards limestone.

Chairman.] Have you an amendment as regards limestone.

Mr. *Whitehead.*

1470. Yes. (To the *Witness.*) What is the maximum power on the Macclesfield Canal for limestone?—The maximum power on the Macclesfield Canal is halfpenny a ton a mile generally, but with certain exceptions, those exceptions being a farthing a ton, it is those exceptions which you seek to re-enact.

1471. When limestone is taken in back carriage in a boat which has previously paid for five tons?—It is then it becomes a farthing.

1472. Upon how much traffic at present in limestone do you charge a halfpenny?—You can find it in the Tables.

1473. I see in your western canals Tables at page 13, which relates to limestone from Dove Holes to Hall Green; at present you charge 7½d., yielding 242*l.*?—Our present rate of charge is 7½*d.*

1474. Yielding 242*l.* in the gross?—Yes.

1475. What do you get under the Board of Trade proposals?—Four hundred and sixty pounds.

1476. As against 242*l.*?—Yes.

1477. There is some traffic between Dove Holes and Marple, I am interested in that traffic,

Mr. *Whitehead*—continued

the tenth in the list, I see in that case whereas you now get 39*l.* 19*s.*, you may get in future, 52*l.* 8*s.* ?—Yes.

1478. If you are contented with certain tolls upon this Macclesfield Canal, why are you not contented to leave the tolls on limestone as they are?—That is a special exemption; and I have been given to understand that special exemptions are not to be re-enacted.

1479. You use a word which will appeal to the Committee, but the toll fixed in the Act of Parliament is a farthing under some circumstances and a halfpenny under other circumstances. That is not an exemption from toll?—There are other tolls under the same Act, fixed specially under special circumstances, which nobody proposed to re-enact.

1480. I am dealing with the power which I wish to be continued; that is not an exemption, it is a toll.

Chairman.] You need not go into the question of terms.

Mr. *Whitehead.*

1481. One other question. You propose in future to bracket A. and B. together, except as regards coals?—Yes.

1482. And therefore salt would be charged the 0·50*d.* proposed by the Board of Trade?—Yes, for the first 10 miles; it is down to 0·15d. for the last 10 miles, the present power being a halfpenny throughout.

Re-examined by Mr. *Worsley Taylor.*

1483. I understand that with regard to these western canals all you want relief upon is in the matter of coal?—That is so

1484. With the rest of the figures, so far as that section of your canal is concerned, you are content?—Yes.

1485. And there being, in your view, a grievance, you are not very particular as to the precise method adopted for remedying it?—No.

1486. You will be content if you can settle it either by consultation with the Board of Trade, or in any other way?—Yes.

1487. With reference to the coal traffic it appears from the table that the whole of that is small quantities for individual consumers, and mostly carried over short distances?—Yes; but it is not always going in small quantities, because at the very beginning coal to the Huddersfield Canal is rather a large tonnage.

1488. That individual one I was wrong about; I had my eye upon page 4. The great bulk of it, the longest distance at all is eight and three-

Mr. *Worsley Taylor*—continued.

quarters miles; then comes four miles, and it varies from a quarter of a mile to three miles?—Yes.

1489. So that the bulk would be something like a mile?—It is, as I said, the bulk of the coal goes, at any rate, less than five miles.

1490. With regard to limestone, apparently out of all the traffic represented here, it is this one firm of Messrs. Brunner, Mond, and Company who want to make this an exception from the general rule now laid down under this Order?—Yes.

1491. About your coal traffic, have you heard any complaint about the tolls that your company have, in fact, hitherto been charging?—I have not heard a single complaint as to the coal tolls.

Mr. *Spicer.*

1492. You spoke about the great loss that you will sustain owing to these short distances upon coal; but if you refer to page 4, the first items there going from a quarter of a mile down to three miles, even under the proposals of the Board of Trade, show no loss at all?—Simply because those happen to go through a lock, and the minimum charge of 3*s.* proposed in the Bill will cover our present charge, which is 3*s.*

1493. Tell us how many locks, upon page 4, weihave to deal with upon these different items?—I cannot tell you from memory. If it goes through one lock there is a minimum of 3*s*; that covers it all.

1494. If you do not go through a lock there is no loss?—There is no minimum charge; there is a loss.

1495. You say there is no loss?—It goes through one lock here.

Chairman.] the Committee wish to express their satisfaction at the exceedingly clear way in which all these figures have been put before them, and the manner in which all these Tables have been drawn up, which has facilitated the work of the Committee very much.

Mr. *Worsley Taylor.*] I am sure Mr. Smith will be very much obliged to your Grace for saying so, as it has involved great labour upon his part.

The *Witness.*] I am very much obliged to your Grace.

The Witness is directed to withdraw.

Mr. *Lewis Coward.*] I will not call any more witnesses at present upon this question.

Mr. *Whitehead.*] I will call one witness, Dr. Hewett.

DR. DAVID BASIL HEWETT, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

1496. YOU are a director of Brunner, Mond, & Co., Limited?—I am.

1497. They are alkali manufacturers, with works upon the Trent and Mersey Canal, amongst other places?—Yes.

Mr. *Whitehead*—continued.

1498. Messrs. Brunner, Mond, & Co. have a large traffic in limestone?—Yes; they have about 40,000 tons a year.

1499. And they receive it from, amongst other places, some places upon the Manchester, Sheffield,

Mr. *Whitehead*—continued.

Sheffield, and Lincolnshire Railway?—Yes; along the Macclesfield Canal.

1500. From what point?—From Marple.

1501. Upon the Peak Forest Canal?—Yes.

1502. Then it comes on over the Macclesfield Canal and by the Trent and Mersey, and so into your works?—Yes.

1503. What distance does it traverse over the Macclesfield Canal?—About 33 miles.

1504. What is the existing charge per ton per mile upon your traffic?—A farthing a ton per mile. The value of limestone is very low, and it is very necessary for our business that it should be low. The whole value of the limestone at the quarry is not more than 1*s.* 6*d.* per ton; so that the tolls form a very serious proportion of the total cost of the limestone delivered at our works.

1505. Are you ever charged the halfpenny a ton per mile which Mr. Smith mentioned?—Not upon his canal; we are never charged more than a farthing a ton per mile. Upon the Trent and Mersey Canal we have been charged a halfpenny.

1506. You said a farthing a ton; is that a statutory ton or a larger quantity?—What is called the long ton, that is, about 2,400 lbs.

1507. Instead of 2,240 lbs.?—Yes.

1508. So that, in fact, if you substitute the ton which is referred to in the Schedule, you are really being charged less than a farthing at the present time?—That is so. And if we are charged a halfpenny it will be 100 per cent. advance.

1509. In fact, more than 100 per cent.?—Yes.

1510. About what quantity of traffic comes from Marple to your works?—Last year 19,851 tons came from Marple.

1511. For 33 miles?—For 33 miles.

1512. That charge of a farthing is statutory in certain cases?—Yes.

1513. In the case of a back load?—Yes.

1513*. But in practice you have the benefit of that agreement?—We always have the benefit of it without back loads.

1514. Do I understand that it is the desire of Messrs. Brunner, Mond, and Company to preserve that statutory toll of a farthing?—That is so; we do not want our tolls raised, nor do we ask them to be lowered in any way.

1515. You want to be left as you are?—Yes.

Cross-examined by Mr. *Worsley Taylor.*

1516. Your total consumption, I understand, is 40,000 tons a year?—Yes.

1517. I see that this traffic which you get over us is 8,300 tons?—No, that is not so; your figures are all wrong. I have had them taken out month by month for months. I can give the monthly figures if you like; I have got them here for 12 months.

1518. You can give it for the year?—Yes.

1519. Nineteen thousand tons?—19,851.

1520. If we put up our toll, I suppose, it being a very, very, narrow margin, you would go somewhere else for the rest of it?—We might not be able to do it. We should try to do it, of course. If we were not protected in one way we should do the best we could in another.

Mr. *Worsley Taylor*—continued.

1521. Instead of getting 20,000 tons from one place, and 20,000 from us, you would get the whole 40,000 tons from somewhere else?—We could not be sure of it. Mr. Phillips says that he cannot supply any more.

1522. You mean you cannot get limestone elsewhere?—So far as we know we could not at present.

1523. Still you manage to get it at present?—Yes, we have our 20,000 tons.

1524. There is a scarcity of limestone, is there?—There is no scarcity of limestone in the hills, but there is at their works.

Re-examined by Mr. *Whitehead.*

1525. The value of limestone, you say, is very small?—Yes.

1526. But the toll is a very important matter in consequence of that?—Yes, the toll and haulage.

1527. If it came from a greater distance the expense to you would be all the greater?—Yes.

The Witness is directed to withdraw.

Mr. *Whitehead.*] That represents our case. You see what the existing charges are; they are, on all this traffic of Messrs. Brunner, Mond, and Company, a farthing, or something less than a farthing, if you take the statutory ton of 2,240 lbs.; that existing charge has, no doubt, originated owing to the statutory charges being fixed in certain cases at a farthing a ton. It is perfectly true that the company have a power of charging a halfpenny under what we will call normal circumstances, but, in fact, this lower toll of a farthing has been the toll that has been put in force. It would affect a very large amount of traffic, nearly 20,000 tons of limestone, and, as the Tables of the company show, they will make a very large sum, or at all events will have the power to charge a very much larger sum than they do at the present time. Their own Tables show that it is almost doubled; and of course, as Dr. Hewett said, it would be really an increased charge of 100 per cent. It may be true that the company, owing to circumstances of competition or otherwise, may not think it wise to put the power in force at this moment; but if you give them the power, the circumstances of competition may change adversely to the traders, and there is no reason to believe that the power would not be put in force. What we submit is that here you have a charge which has been in existence for many years; it is a reasonable charge; it works fairly towards the company and the traders, and we say now, when you come to a revision of tolls, you should not increase the power of the company so much as 100 per cent. It is not as if this was a small traffic. It is perfectly true that it relates only to one firm, but it represents 20,000 tons in the course of the year, and no doubt it is the only traffic in this important article upon this canal. I cannot do more than place these facts before you. The Committee ought to have it clearly in their minds that when Mr. Smith called this an exemption he was using a word of prejudice

to influence the minds of the Committee, no doubt, but he was not representing the facts. It is not an exemption at all. Parliament, in the original Act, said: Under certain circumstances you shall charge a farthing, and under certain other circumstances a halfpenny. That is not an exemption from toll, but the fixing of a certain statutory toll. We raise the point by our amendment, which is printed at the bottom of the collated amendments, that that statutory toll should be preserved for the future. Looking at the amount of traffic and the character of the limestone itself, and its low value, and its importance to the alkali industry, we think it important that the statutory charge of one farthing per ton per mile should not be increased.

Mr. *Worsley Taylor.*] You are going to lay down a general rule, and my learned friend asks that for the sake of Messrs. Brunner, Mond, and Company, they being the best able to afford what is put on them of all the traders in the United Kingdom, that you shall make an exception in their favour, because he says we shall have the nominal power to increase the rates. We have got power now to charge them 7½*d.*, but if we applied the maximum for passing over our two canals we could charge rather more than double that, that is, 1*s.* 4¾*d.* We have power to do that, but we do not do it. We have power to charge more than double the present rate of 7½*d.* We do not do it because we cannot; and though we shall have the power hereafter to charge this we shall not do it in the future. Therefore I ask your Grace to abide by the rule which has been acted on hitherto. It is a give-and-take matter. You have laid down one general rule, and I ask you not to grant an exception to the rule.

Mr. *Pelham.*] Your Grace understands that this stone quarry belongs to the railway company, and that the limestone is sold by the railway company. It seems to me that if the toll is diminished there is nothing to prevent the railway company charging more for the limestone. That is the case as regards the Canal. I do not see any way in which the toll could be increased for the particular traffic on which the loss is incurred without giving a very substantial increase on the actual charges on the other parts of the western canal. And it is to be remembered that this traffic where they will suffer loss has a very high mileage toll at the present moment, and the whole loss is about 2,000*l.* a year.

Chairman.] What is the point that we have now to consider?

Mr. *Pelham.*] The two points are: first, as regards the limestone; and, secondly, whether any additional toll should be allowed on coal on the western canal.

Mr. *Balfour Browne.*] I represent the Mining Association of Great Britain, and we are very much interested in this matter; and, if necessary, I should like my witnesses to be heard upon it. The increase on coal would be a very serious matter indeed; but I did not know that this question of coal was being discussed.

Chairman.] The question is whether there should be a higher toll for coals, and whether the limestone should be dealt with as proposed by Messrs. Brunner, Mond, and Company, in the proviso at the end of the amendments. I thought with regard to the coal Mr. Waghorn said he had nothing more to say.

Mr. *Waghorn.*] I was dealing with Mr. Balfour Browne's business. I do not think I have anything to add upon the matter.

Chairman.] Are you with Mr. Balfour Browne?

Mr. *Waghorn.*] No.

Chairman.] We are now in a position to deal with the coal.

Mr. *Pelham.*] The company propose a higher toll than what the Board of Trade propose; the amendment comes from them.

Sir *Richard Paget.*] What is the amendment of the company.

Mr. *Lewis Coward.*] 0·75*d.* It is on our Table of Amendments, turning over to the second page.

Mr. *Worsley Taylor.*] That will be confined to coal.

Chairman.] What is Mr. Balfour Browne's position, because he either appears or not?

Mr. *Waghorn.*] Mr. Balfour Browne said he would like to call a witness upon coal, but he saw you were dealing with something else and he went away.

Chairman.] The proposal of the company is to insert 0·75*d.* in place of the Board of Trade proposal of 0·50*d.*, but only for coal.

Mr. *Worsley Taylor.*] Yes, only for coal.

Chairman.] We are now in a position to deal with it, no person appearing against it. If Mr. Balfour Browne is against it he should be here now.

Mr. *Pelham.*] The Board of Trade are against it, you understand?

Chairman.] Quite so.

The Committee deliberate.

Chairman.] The Committee have decided to allow the 0·75*d.* for the first 10 miles for coal; and they have decided not to accept the amendment proposed by Mr. Whitehead: "Provided that notwithstanding anything in the above Table the maximum toll for limestone taken as back carriage in boats," and so on.

Mr. *Pelham.*] That is for the whole of the western canal, 0·75*d.* for coal?

Chairman.] Yes.

Mr. *Pelham.*] Coal, coke, and slack?

Chairman.] Yes.

Mr. *Pelham.*] I will bring up the Schedule to-morrow morning.

Chairman.] We do not accept the proposal on behalf of Messrs. Brunner, Mond, and Co. as regards limestone.

Mr. *Pelham.*] The Committee will now go through the amendments on the paper, I presume?

Chairman.] Yes.

Mr.

Mr. *Pelham.*] The Committee will now go through the amendments on the paper, I presume?

Chairman.] Yes.

Mr. *Pelham.*] The first amendments "January instead of July," is not pressed. The next one is one which the Lancashire and Cheshire Conference do not press, as I understand?

Mr. *Whitehead.*] No.

Mr. *Pelham.*] Those two are struck out. Now the next two amendments are amendments to general provisions which were settled last year.

Mr. *Worsley Taylor.*] We withdraw them.

Chairman.] The one beginning "omit exclusive of cranes" and so on, is withdrawn.

Mr. *Pelham.*] Yes; and the next one, "Insert at end of sub-section, 'or in substitution therefor,'" is withdrawn also. Then we come to the next, "Insert 'the tolls and charges hereinafter mentioned as being the minimum tolls to be charged upon a boat, or as the amounts chargeable upon an empty boat, shall not become payable in respect of a boat received from or passing on to the canal of another company at a higher level.'" I understand the Lancashire and Cheshire Conference do not press that.

Mr. *Waghorn.*] We do not press that in that form.

Mr. *Pelham.*] Then we pass to page 6, line 16, "Omit 'Class B. and insert Class 3,'" that is not pressed. That was settled last year.

Mr. *Worsley Taylor.*] No, we do not press that.

Mr. *Pelham.*] Then we come to page 7, line 8, "Omit 'steam-vessels.'" Have you anything to say about that?

Mr. *Worsley Taylor.*] Yes. Your Grace will find this on page 7, line 8. "The term 'boat' includes all vessels, barges, keels, sloops, steam-vessels, compartment boats, and other craft of every description, however propelled or moved, using the canal." We move to omit the words "steam-vessels," the short reasons being these. On one of our principal canals, the Dun Navigation, there is an absolute prohibition against any one using steam on it at all; and, further than that, with regard to the whole of the rest of the canals, there is not one adapted for using steam, or which, without considerable expense, could be made adapted for it. On these grounds we suggest that the words "steam-vessels" should be omitted. Our present bye-laws on the canal prevent anybody using steam. We suggest that if these words "steam-vessels" were in, it might lead to the inference that people were entitled to use steam-vessels on the canal.

Mr. *Pelham.*] This was settled last year. The Committee took the line, last year, of inserting in the Bills general conditions applicable to all canals; and even in the case of a separate Bill relating to the Birmingham Canal they inserted the usual clause about tidal waters, which could not be taken to imply that the tide would even come to Birmingham or Warrington. Because you mention a particular class of boat, it does not follow that the company would be obliged to let that particular class of boat go on the canal. It is necessary to have some definition of "boat" on all the canals, and it is as well that the definition should include steam vessels, because then the company might decide to allow steam-vessels at any time, and then the word "boat" would include them.

Sir *Richard Paget.*] Would not your bye-laws still exist in full force after the passing of this Act?

Mr. *Worsley Taylor.*] Undoubtedly they would remain in force. I am much obliged to the honourable Member for mentioning that. I am not going to press this amendment.

Mr. *Pelham.*] Then the next amendment is on page 19, line 43. "Omit '3' and insert '5.'" That comes in the special clauses relating to this company as to a minimum toll for a boat.

Mr. *Coward.*] We propose to confine the evidence we are about to call to the eastern canals.

[Mr. ALEXANDER ROSS, called.]

Mr. *Whitehead.*] May I be allowed to intervene for one moment. I thought from what happened this morning that all discussion with regard to the eastern canals had been postponed till some later date; I understood that, certainly. A gentleman who was here watching in connection with the coal traffic on the eastern canals, and who would be interested in this question, has already left in consequence of your Grace's decision. We understood that all matters with regard to these eastern canals were postponed.

Chairman.] We only postponed the particular question of the tolls which was to be discussed between Mr. Worsley Taylor and the Board of Trade; we did not postpone any other part of the question.

Mr. *Worsley Taylor.*] I said, "Subject to that we go on as we are."

Mr. *Whitehead.*] This is a question of toll. The question before the Committee is, How much shall the company be allowed to charge on the eastern canals under the particular circumstances? That is a question of toll, and we thought it had been postponed. It is hard that we should not be allowed to postpone this also.

Chairman.] Before the gentleman to whom you refer went away it was his business to find out what was going on.

Mr. *Whitehead.*] We understood the decision of the Committee to be that all questions of tolls upon the eastern canals were to be postponed.

Mr. *Pelham.*] The particular question postponed was the question of certain tolls on iron, grain, and timber. I was to settle those tolls with the company, and bring up the result to the Committee.

Chairman.] Yes; we did not give any decision on any other point.

Mr. *Whitehead.*] But we understood that the other matters were postponed. If I was wrong in that I must bow to your Grace's decision; but our witness is not here to deal with this particular question.

Chairman.] That is not our fault. The representatives of the company and the Board of Trade were to come to some arrangement about the tolls on certain particular articles, then what was agreed to was to be brought up to-morrow morning, and then you were to be heard with regard to those particular articles.

Mr. *Worsley Taylor.*] If there is any difficulty I am not going to stand in the way of my learned friend.

Chairman.] We will go on with this, at all events. The amendment we are now dealing with is to strike out "3" and insert "5."

MR. ALEXANDER ROSS, having been sworn; is Examined, as follows:

Mr. *Coward.*

1528. You are the chief engineer of the Manchester, Sheffield, and Lincolnshire Company?—Yes.

1529. I want to direct your attention to the eastern canals. The total rise on those canals from the River Trent to the summit-pond at Sheffield is, how much?—One hundred and fifty-four feet.

1530. How many locks are there?—Thirty-three locks.

Mr. *Spicer.*

1531. Between what points are those locks?—Between Sheffield and Keadby and that group.

Mr. *Coward.*

1532. What is the average capacity of each of those locks in gallons?—Forty-six thousand gallons.

1533. A word on the Chesterfield Canal. The total rise on the canal from the Trent to the summit-pond is how much?—Two hundred and thirty-eight feet.

1534. The summit-pond is at Norwood?—That is where the tunnel is.

1535. At Hart Hill?—Yes.

1536. How are those canals mainly supplied with water?—They are supplied with water impounded in reservoirs in the hills.

1537. What is the total capacity of the reservoirs?—Taking all the reservoirs of the whole of the canals of the company there is a water capacity of 1,633,000,000.

1538. I need not go into the details, but what do you estimate to be the total cost of the reservoirs?——

Chairman.] You are now dealing with the eastern canals?

Mr. *Coward.*] We have now dropped the western canals.

Earl of *Lauderdale.*] Does the amendment apply to all your canals?

Mr. *Coward.*

1539. To the eastern only. (To the *Witness.*) Will you give me the total capacity of the eastern canals reservoirs?—The total capacity of the eastern canals reservoirs is 218,719,000 gallons.

1540. That is under the heading of "South Yorkshire Canals"?—Yes.

Sir *Richard Paget.*

1541. Are the eastern canals those that are called in the Table, "South Yorkshire"?—Yes.

Mr. *Coward.*

1542. What is the total cost of the reservoirs for the eastern canals?—£44,710.

1543. Then you take interest on that capital at 4 per cent.?—Yes; interest on capital at 4 per cent., maintenance at 2½ per cent., payment of reservoir-keepers, and men for cleaning feeders, amounting in all to 3·41*d.* per 1,000 gallons.

1544. What would that make the total cost per lock upon these canals?—That would mean 12*s.* 6*d.* a lock on these eastern canals, separated from the rest.

1545. Do most of these canals run through colliery districts?—They do.

1546. Is the cost of maintenance therefore very great?—The cost is exceptionally high.

1547. Owing to subsidences?—Owing to subsidences and having to keep up the banks.

1548. Have the company in consequence been subjected to very considerable cost for maintenance?—They have.

1549. You put the cost of a lock of water upon these canals at 12*s.* 6*d.*?—Yes.

Mr. *Pelham.*

1550. Perhaps I may be allowed to ask this. Does this apply to the Chesterfield Canal as well?—It does not.

Mr. *Coward.*

1551. I must go into the Chesterfield Canal. Will you give me what you make out to be the cost on the Chesterfield Canal also?—On the Chesterfield Canal there are in all six reservoirs, and the total capacity is 370,370,112 gallons, the estimated cost, that is to say, the capital charge, being 30,709*l.*

1552. Following that out, and applying the same figures for interest and maintenance that you applied in the case of the eastern canals, what is the result?—There are two sizes of locks on the Chesterfield Canal. The smaller lock contains 20,062 gallons, and the larger size conlains 45,500 gallons. The cost of water for the smaller lock would be 3*s.* 6½*d.*, and for the larger lock 8*s.*

1553. Giving an average over the Chesterfield Canal of what?—Giving an average of 5*s.* 9*d.* per lock of water.

Cross-examined by Mr. *Whitehead.*

1554. Is that figure of 44,000*l.* which you put before the Committee as the estimated cost of the reservoirs for the South Yorkshire canals an estimate that you have made of the cost which would now be incurred if those reservoirs had

Mr. *Whitehead*—continued.

had to be made?—No; the cost incurred at the date at which they were made.

1555. That is an estimate of the cost which was incurred when they were made?—Yes.

1556. When were they made?—Some of them were made 80 or 90 years ago.

1557. Are you not going to write off something from that for depreciation?—No; they have been kept up all the time. I think they are as good now as they were when they were completed.

1558. Does lapse of time make no difference to the value of a reservoir?—Not if properly maintained.

1559. Are these other figures, with regard to reservoir-keepers and men cleaning out feeders, also estimates?—No, they are actual figures.

1560. There are 12 reservoir-keepers, each of whom receives 60*l.*?—Yes, on the whole of the system.

1561. To what amount of traffic would this proposed charge relate?—To the whole of the traffic.

1562. No; it is only to certain light loads; how many boats pass through the locks which would become subject to this charge?—I cannot give you that.

1563. You cannot tell the Committee what the importance of this amendment is to the company? No; I simply tell the cost of the water.

Mr. *Whitehead*—continued.

1564. What is the present power of the company to charge for light loads; do you know that it is 3*s.*?—No, I do not know; that is a traffic matter.

Re-examined by Mr. *Coward.*

1565. The cost of construction of reservoirs now would be a good deal more than 80 or 90 years ago?—It would, undoubtedly.

1566. Why?—Prices have very much increased. I have taken as a basis of the cost what we do know was paid at that time.

1567. With regard to maintenance, you say 2½ per cent. is a fair amount?—Yes.

1568. You say you based this on the actual cost of one reservoir?—Yes.

1569. Was that a reservoir on the western canal?—Yes, the Tod Brook.

1570. That was the only one you could get the figures of?—Yes.

1571. What was the date of the construction of that?—Very much about the same time; perhaps 80 years ago.

1572. You got those figures before you, and you based your other figures upon them?—Yes.

Mr. *Coward.*] Mr. Smith will be able to answer the question which Mr. Whitehead put to Mr. Ross, and which he was not able to answer.

Mr. CHARLES THOMAS SMITH, called again; and Examined.

Mr. *Whitehead.*

1573. How many boats go through lightly laden or empty, and which would, therefore, come within this clause?—That would take me some time to pick out. You could do it equally well with myself from these statements. I have not got the figure out; it could be easily ascertained.

1574. Can you give the Committee any sort of notion. Is it 1,000 or 20,000 boats?—I could not say at the moment.

1575. You are unable to inform the Committee what the value of this amendment is to the company?—I do not say that. The value of it is shown in these statements.

1576. Which statements are you referring to?—The statements referring to the eastern canals. That is all that the amendment refers to.

Mr. *Worsley Taylor*

1577. And the Chesterfield?—Yes.

Mr. *Whitehead.*

1578. Will you refer me to an entry where this minimum toll would apply?—The first entry I can find where this minimum toll would apply is on page 11, "Gas-Water."

1579. That is Conisborough to Thorne?—Yes. There are three boats conveying gas-water, which under the proposed Schedule of the Board of Trade would give us 2*s.* a boat, and upon which our proposal would give us 5*s.* a boat. It is a very small business. Then on the next page, page 12, in the first entry you will find

Mr. *Whitehead*—continued.

there are two boats which are charged at 3*s.* which we propose should be charged 5*s.*

1580. The entries in small print give the boats to which this minimum toll would apply?—Yes.

1581. All?—Not all.

Sir *Richard Paget.*

1582. What is your estimate of the whole value of this concession which you ask for?—We want this more as a prohibition for empty boats going on the canal than for what we should get out of the traffic. As a traffic question there is very little in it, because there are so few boats that would incur the minimum charge. We ought to have the power to charge 5*s.* for the use of locks because we know, as a matter of fact, that in certain seasons of the year empty boats do come up from Keadby into the Sheffield Canal, finding that they cannot get a cargo of coal at one of the collieries on the Sheffield Canal, they go down still empty to the junction at Swinton with the Dearne and Dove Canal, and then go up again from Swinton to collieries on the Dearne and Dove, with a view of getting a cargo there; if we did not have the power to charge this on the empty boats we should only have power to charge 3*s.* instead of 5*s.*

Sir *William Houldsworth.*

1583. What is the present minimum charge?—I think the present minimum charge is 7*s.* 6*d.*, that is on the Dearne and Dove and the Dun.

Mr. *Whitehead.*

1584. Are you confining your amendment to those two canals?—To the eastern canals.

1585. Including the Chesterfield Canal?—Yes.

1586. Whst is your power on the Chesterfield Canal?—I cannot tell you from memory. I believe it is 3*s.*

1587. That is what the Board of Trade have given you?—That is what the Board of Trade have given us.

Mr. *Spicer.*

1588. Do not you get the traffic of these boats when they get their coal?—Yes; we do not object to their getting the traffic if they only use one lock when they are empty, but under the circumstances I have alluded to they would use two locks before they got their load, and a third lock when they got full.

1589. You would rather not have them than have them when they have taken so much water?—I do not put it so high as that; we do nct want to lose traffic, but we want to have some preventive power to stop these men running about the canal in search of traffic and using our water for the purpose.

1590. You think they would do that?—Yes.

1591. You say you have a minimum of 7*s.* 6*d.*?—Yes, on this section we have power to charge 7*s.* 6*d.*

Sir *William Houldsworth.*

1592. Do you charge it?—We have not had the opportunity; they know there is that prohibition against them, and they do not use the water.

Mr. *Coward.*

1593. The proposed charge of the Board of Trade is only 3*s.*, the price of a lock of water being 12*s.* 6*d.*?—Yes.

1594. Do you think that is fair?—I think our proposal is the fairer one of the two.

1595. Your present power of charge being 7*s.* 6*d.*?—Yes.

1596. What you desire is to have the value for the lock of water that is used, the cost of the water being 5*s.* 10*d.*, and the proposal of the Board of Trade being that you should only charge 3*s.*?—Yes; all these South Yorkshire canals, with the exception of the Chesterfield, are what are known as broad canals.

1597. The Board of Trade has recognised the principle of the charge, the question being what the figures should be. You think it right and fair that it should be based on the cost of a lock of water?—So far as it is possible to do so.

Mr. *Worsley Taylor.*] I think I may shorten the matter if I speak to Mr. Smith, if your Lordship will allow me to do so.

Chairman.] Certainly.

Mr. Worsley Taylor confers with Mr. Smith.

Mr. *Worsley Taylor.*] I have had an opportunity of talking to Mr. Smith, and I will not trouble the Committee further with anything on the Chesterfield Canal; we will confine ourselves to an application for an increase on the eastern section; that will shorten matters.

Mr. *Whitehead.*] This is a most extraordinary amendment. They first asked that it should apply to all their canals; then they see that is hopeless, and so they confine it to the eastern canals; then there is a little cross-examination with regard to the eastern canals, and then they say, We will not ask that our proposal should be applied to the Chesterfield Canal, we will only deal with the other; so now the matter is reduced within very small limits, and the question is this: How much traffic is there upon these other canals which would be affected by this change? Have you got any figures before you at all that will enable you to consider that? I submit that unless the company can come and show you what would be the effect of the proposals put before the Committee, the Committee ought not to make a change from the Schedule which the Board of Trade have considered to be just and reasonable. The company have placed before the Committee absolutely no evidence whatever. Till they can come and show you how many boat-loads there are, roughly speaking, till they can give you an estimate of what traffic this charge will relate to, how much there is, and where it goes, the Committee have no figures or facts upon which they can base a conclusion. I put the question to Mr. Smith, and he referred me to his Tables. What do his Tables show? You have at page 3, "Coal summary," 148 tons in three months. That is not any of the traffic to which this charge would apply; that is coal traffic. Then he comes to the summary on page 8 for the rest of Class A. and Class B.; practically this charge would not apply to any of that. He referred me to one item of gas-tar, and one other small item of 27 tons; but, practically speaking, on Class A. traffic, which is the important traffic (the case was opened in that way), on Class A. traffic, the coal traffic, and articles of that character, upon the important traffic on those canals this minimum toll does not come into operation. What is there in the case which the company put before the Committee? Absolutely nothing. I challenged Mr. Smith to show where the extra charge would apply, and he could not give the Committee the information. He gives one instance where boats are going down to get traffic with a view to coming back loaded; I am not quite sure at this moment whether the clause applies to that traffic at all. There is a proviso later on in page 20, line 10: "Provided that such empty boat is not returning after delivering cargo in respect of which there has been paid to the company a toll of not less than 3*s.* or a toll of not less than 6*s.*, as the case may be, or is not on its way to load cargo in respect of which a like toll will become payable to the company." I do not know whether that applies to this particular part of the section or not. The only case of grievance which Mr. Smith brought before the Committee was this: You have empty boats going down the navigation and washing water that come back with a cargo. That is a case which the Schedule provides for. So you have these two points. First, they do not show any traffic; they do not put any figure with regard to any traffic to which this charge would apply. And secondly, the only reason they give for the insertion of 5*s.* rather than 3*s.* is to provide for the contingency which is excluded by that proviso

viso which I have just referred to. Mr. Smith says they want this charge because boats go down empty and waste the water, and then come back with a cargo; but, as I say, if you look at the proviso on page 20, line 10, you see in that case there is no minimum charge; so that the only good reason that Mr. Smith has given is not a reason at all. The Schedule expressly provides in that case that the minimum will not apply.

Mr. *Pelham.*] No, it provides that the empty-boat charge shall not apply; not the minimum.

Mr. *Whitehead.*] Mr. Smith was dealing with the empty boat-load question. He says empty boats go unloaded and come back with a load. I am dealing with Mr. Smith's evidence. In that case the Board of Trade under their Schedule have provided that this charge of 3*s.*——

Mr. *Pelham.*] That is for empty boats.

Mr. *Whitehead.*] That the empty boat minimum shall not apply; but Mr. Smith's evidence is confined to a matter not before the Committee. I submit that the Committee ought not to accept this amendment.

Mr. *Pelham.*] I do not know whether I might remind the Committee of a case which they settled yesterday, the case of the Huddersfield Canal, which looks down into the Ashton Canal, one of the western canals with which the Committee are now dealing. You remember the Board of Trade proposed a 5*s.* minimum toll there, but in the case of the Ashton Canal of the Manchester, Sheffield Company, they only propose 3*s.* I think the Committee should bear in mind that under the decision yesterday the Huddersfield Canal that supplies the water will only get 2*s.* 6*d.* Now under this proposal the lower canal that does not supply the water would get 3*s.* I would ask the Committee to bear in mind in considering the question whether 5*s.* should not be allowed for the large locks on the eastern canals, whether the minimum charge per boat on the western canals should not be reduced to 2*s.* 6*d.*

Chairman.] What have we to do now?

Mr. *Pelham.*] The question before your Committee is, what the minimum toll for the boats should be on the eastern and western canals.

Chairman.] Are you asking from 3*s.* to 5*s.* upon the eastern canal?

Mr. *Whitehead.*] No; those are the Chesterfield tolls.

Mr. *Waghorn.*] We ask 2*s.* on coals, but we are under the impression that you are dealing with the eastern canals. We do not wish to prolong the inquiry; we shall be satisfied with a toll of 2*s.* 6*d.* as suggested by Mr. Pelham.

Mr. *Pelham.*] I have not suggested it. I have only said it ought to be considered.

Chairman.] Mr. Pelham is not the Committee. He gives us his advice and tells us what induced him to put down the figures that we find in the Bill. You have an amendment now to substitute "two" for "three."

Mr. *Waghorn.*] Yes, and having heard the advice which Mr. Pelham gave in the matter, I do not think I can possibly add anything; my best course is to say nothing at all. We are content if the Committee accept Mr. Pelham's suggestion.

Chairman.] You must either consent to accept 2*s.* in the place of 3*s.* or not. Do I understand that you give up your amendment?

Mr. *Waghorn.*] We give up the amendment.

Chairman.] You do not desire to put two in place of three.

Mr. *Waghorn.*] That is so.

Chairman.] There is no understanding in the matter.

Mr. *Waghorn.*] I quite agree to that.

Sir *William Houldsworth.*] Mr. Pelham's argument referred more to the western canals; it does not apply to the eastern canal.

Mr. *Pelham.*] The only question as to the eastern is the Chesterfield Canal.

Sir *William Houldsworth.*] I saw the point about the western canal. I do not see it as regards the eastern canal.

Mr. *Worsley Taylor.*] I do not know whether you desire to hear a word from me on behalf of the company?

Chairman.] I do not think we want to hear you. The Committee have decided to accept the amendment proposed by Mr. Worsley Taylor to insert "five" in place of "three" on the eastern, and not touching the western branch.

Mr. *Pelham.*] That deals with all the amendments to the minimum charge per boat, and the empty boat clauses?

Mr. *Waghorn.*] No.

Chairman.] There is one on page 20, line 1.

Mr. *Pelham.*] That has been dealt with; that is where merchandise is conveyed in a boat which passes through the summit pool at Norwood. On the Chesterfield Canal the company may charge a minimum toll of 6*s.*

Sir *William Houldsworth.*] Is the minimum charge on the western canal still before us?

Mr. *Pelham.*] No, that has been dealt with. The Committee have decided not to alter the three shillings.

Sir *William Houldsworth.*] Five shillings for the eastern and three shillings for the western.

Mr. *Pelham.*] For the Chesterfield.

Mr. *Whitehead.*] I am without my witness upon this particular point, and I do not think I can usefully occupy the time of the Committee by moving the amendment, because I cannot prove any facts myself. I am afraid I must not move that amendment, but must withdraw it.

Mr. *Pelham.*] The next is "page 20, line 3, to omit, 'six and insert ten.'" That is withdrawn. The next is an amendment of the Lancashire and Cheshire Conference on "page 20, lines 4 and 5, to omit lines 4 and 5."

Mr. *Waghorn.*] These two lines introduce the principle.

Chairman.] "For any empty boat which passes through one or more locks on the western canal, the company may charge the sum of 3*s.*"

Mr. *Pelham.*] The effect is to apply it to all sorts of empty boats—they have statutory power and the Board of Trade thought as the Leeds and Liverpool Canal Company got it last year because they had a statutory power, the Board of Trade ought to follow that precedent, and they gave it—it is a toll for any empty boat. It is for the Committee to decide the principle.

Mr. *Waghorn.*] I happened to be engaged in the case when the empty boat clause was given to the Leeds and Liverpool Canal, and I know that it was given to them as a compromise; they asked for 7*s.* 6*d.* upon a full boat, and 5*s.* upon an empty one; by way of compromise they reduced their claim to 5*s.* and we did set the unfortunate precedent of allowing a charge pure and simple for an empty boat. But I think your Grace will find that with the single exception of the Leeds and Liverpool Schedule, and with the exception of this Schedule here, the claim to charge upon an empty boat is unprecedented. I believe there is no other case whatever where the Committee are asked to sanction a charge for an empty boat. You see the section runs: "For any empty boat which passes through one or more locks on any of the other canals of the company the company may charge the sum of three shillings." "Provided that such empty boat is not returning after delivering cargo," and so forth. All we ask is that those two lines should be omitted, and the words "Other canals of the company," and that we should be put upon the same footing as traders upon the other sections of the canal. This is a matter which may not seem of much importance, but it is an extremely important one to us. Your Grace will be told by the witnesses that in all short-distance traffic (and attention has been called to the fact that the traffic round Manchester is to a great extent short-distance traffic) you cannot get a return cargo. The boats which go with coal or with cotton to the various works of the neighbourhood have nothing to bring back again, they must go empty the short distance. The effect of this clause would be that on all traffic you would impose an additional charge of three shillings per boat. The attention of the Committee was drawn yesterday to the traffic in which we are mainly interested, that is traffic passing through Manchester which passes over four canals; when each probably are seeking to impose the maximum charges to which they are entitled. Now upon the Huddersfield Canal you did not agree to allow five shillings, and you reduced it to 2*s.* 6*d.*, but now Ashton comes with a more insidious proposal still, and while only asking for 2*s.* 6*d.* or 3*s.*, which we are willing to give upon a full boat, they magnify that charge three or four times over by wanting every empty boat to pay 3*s.* I would like to call one or two witnesses upon the question of the importance of the traffic.

MR. ELY ANDREW, is called in; and, having been sworn, is Examined, as follows:

Mr. *Waghorn.*

1598. YOU are the Mayor of Ashton-under-Lyne?—I am.

1599. You have heard the suggestion made in this room that the traders are not interested in this question of canal tolls?—Yes.

1600. May I ask you whether the traders in Ashton consider this an important question to them?—They do.

1601. You come as representing the Corporation of Ashton, to impress upon the Committee the fact that the whole of the traders and manufacturers of the town look upon this as an important matter?—I do.

1602. Will you tell the Committee the opinion of Ashton; does the trade consider this an important question or not?—Very much so indeed, inasmuch as we are very anxious, being a borough, and in the immediate neighbourhood of the Ship Canal, to get access to that Canal. We had a meeting, in connection with our Corporation, of different interests, and I have been requested to come here for the purpose of stating our case as briefly as possible. We are very anxious to avail ourselves of the communication between the Ship Canal and the different shipping ports in America and other places, but we find, in endeavouring to get the cargoes which now arrive in the Ship Canal Docks to our borough, the boats have to pass over four separate canals, and we find that the four separate charges prevent us being able so far to avail ourselves of the advantage of a direct communication between foreign countries and our own borough.

Chairman.

1603. Do you object to going over four canals?—We object to the tolls upon the four canals.

Mr. *Waghorn.*] You object to any canal charging more than they are fairly entitled to?—

Chairman.] You ought to leave some little evidence for the gentleman to give. Of course, if they charge more than they are entitled to, there is a tribunal before which they can be brought.

Mr. *Waghorn.*] And this is the tribunal before which we come.

Chairman.] It is a very bad compliment to the witness if you do not let him give his evidence, but give it for him.

Mr. *Waghorn.*

1604. Should you think a charge of 3*s.* a ton prejudicial to the interests of Ashton, or not?—I did not come to give evidence upon specific articles with regard to the canal, but I speak in the interest of the traders at large that the maximum charges which are now in operation in connection with four canals prevent any direct traffic between the Ship Canal and our borough. It is cheaper to cart from Manchester than to avail ourselves of the Canal.

Chairman.

1605. We are dealing with the charges under the proposed Bill?—I understand that another gentleman will take my place, and be able to speak more directly in connection with the charge than I can.

1606. Have

Chairman—continued.

1606. Have you seen this Bill?—Yes.

1607. It is in connection with this Bill that we are here, and any information that you can give us upon it we should like to have?—With regard to the different charges, I have been advised that another gentleman following me will be more capable of giving your Grace evidence than I shall.

Mr. *Waghorn.*] I have other witnesses about the detailed charges, but it was cast in our teeth that these traders were not interested in the question. I call the Mayor to say that they are.

Chairman.] What has the Mayor come to tell us?

The *Witness.*] I have been requested to come here and say that the canal not being used in our borough it is so great a nuisance that it interferes very materially with the health of our borough. I told Mr. Pelham a little while ago that it is a very serious matter.

Chairman.] That is another matter.

The Witness is directed to withdraw.

MR. JAMES W. SUMMERS, is called in; and, having been sworn, is Examined, as follows:

Mr. *Waghorn.*

1608. YOU and your brother are the proprietors of the Globe Ironworks, Stalybridge, are you not?—Yes.

1609. You produce, amongst other things, a large quantity of galvanized iron, do you not?—Yes, we do.

1610. You produce manufactured iron of other kinds?—Yes.

1611. In the first place, do you require any muriatic acid in your work?—Yes.

1612. How is that at the present moment brought to your works?—By canal from Northwich.

1613. About what quantity of it do you use?—About four to five boat-loads a week.

1614. A boat-load would contain about 18 tons, would it not?—Yes.

1615. What is the value per ton of the muriatic acid?—About 30*s.*

1616. And what is the toll you are charged for the conveyance of this acid over the canal?—The toll over the whole of the canal is 3*s.* 10½*d.* per ton.

1617. Do you consider that an excessive toll?—Yes, we think it is.

Mr. *Waghorn*—continued.

1618. You have to manufacture a large quantity of galvanized iron?—Yes.

1619. About what quantity of galvanized iron do you manufacture?—About 220 tons per week of galvanized iron, and about 200 tons per week of the other kind.

1620. Altogether about 400 tons of iron you manufacture per week?—Yes.

1621. Where do you deliver it?—The bulk of it goes abroad.

1622. Would that traffic pass over the canal from your works to the Manchester Ship Canal if reasonable tolls were charged?—Probably it would. Ships from Manchester would take the traffic to its destination abroad.

1623. You use spelter in your works?—Yes.

1624. About what quantity do you use of that?—At present about 30 tons per week.

1625. Would you get it by canal if reasonable tolls were charged?—Probably we should.

The Witness is directed to withdraw.

MR. FREDERICK MORTON, is recalled; and further Examined, as follows:—

Mr. *Waghorn.*

1626. YOU were introduced to the Committee yesterday, and you gave some evidence upon the question of the tolls between Manchester and Stalybridge?—I did.

1627. The Committee will, no doubt, remember to some extent the evidence you gave. I will not ask you to repeat it. I simply wish to ask you this question: is this charge of 3*s.* on an empty boat an important factor in the rates you will have to quoe for the traffic you have heard mentioned?—Most important, and I think a very unfair one, especially looking to the fact that in all the Railway Bills the railway trucks, after conveying cargo, are not only allowed to pass free along the railway, but are hauled free, while in our case we do our own hauling.

1628. Would the charge be of frequent application?—Of very frequent application, no doubt. Until we really could get traffic both ways for our boat, the boats must inevitably pass one way empty; after delivering its cargo it must pass empty back again, and in this particular case, especially for the Stalybridge traffic, so far from the Ashton Canal Company suffering any damage, they would be receiving water from Huddersfield to pass the boat.

Mr. *Waghorn*—continued.

1629. Will you explain clearly about their receiving water?—From the cartoon which appeared here yesterday, and from the map which I put in, the Committee will remember that the Huddersfield Canal is at a higher level, and all traffic passing between Manchester and Stalybridge must receive the water from the Huddersfield Canal,

Mr. *Waghorn*—continued.

and practically the boat takes her own water with her, the Huddersfield Canal finding the water to Ashton in this case.

1630. Have you heard any reason suggested for this charge other than the waste of water?—None whatever.

Sir *Richard Paget.*

1631. Is your objection to this paragraph only on account of the remaining part with regard to an empty boat?—Only to this paragraph, the two lines 4 and 5; we want those two lines deleted so that the provision for an empty boat that is not returning after delivering cargo, or is on its way to deliver cargo on these western canals shall fall into the general provision only, with reference to a boat returning after delivering cargo, or on its way to fetch cargo.

1632. With regard to the empty boat, you instance the case of railway trucks; in the case of an empty boat passing through a lock it would require each lock of water the same as a full boat?—Clearly, but I maintain that it is part of the canal company's business to find that water.

Chairman.

1633. If they are paid for it?—They have toll paid on a full boat.

Sir *Richard Paget.*

1634. The charge made originally for one lock was to include the second lock in coming back empty?—It is not a question in this case of one lock, because whether the boat passes through one lock or 20 locks in one staircase is no matter to the company; the same lock of water is sufficient to pass the boat; it is a question of the boat returning after delivering its cargo.

1635. I understand you to contend that the original toll which enabled a boat to use one lock of water is in your view intended to provide for the same boat returning empty and using a second lock of water?—Certainly. I think at all events if there were any question of the value of the lock of water it might be set against the question of haulage of the railway truck.

Chairman.

1636. I do not think we need compare the two?—We are in competition with the railway.

Chairman.] That is another matter.

Cross-examined by Mr. *Worsley Taylor.*

1637. How long have you been in business there?—Between 30 and 35 years.

1638. At Stalybridge?—No, we have had business; with Manchester ever since we have been in business; it is only within the last few months that we have opened up an establishment there ourselves. We were formerly represented there by the Bridgewater Navigation and the Bridgewater Trustees.

1639. You have your own establishment there now?—Yes.

16402. When did you first use the canal; in March?—Yes.

1641. How many boats have you had on the canal since that time; 51?—I take it from you.

Mr. *Worsley Taylor*—continued.

1642. On how many empty boats have you paid in that time?—That I am unable to say.

1643. I suggest to you none?—I am not certain.

1644. If I suggest it on instructions I may be right?—Yes.

1645. In your own business you do not do something for nothing; you do not provide goods or labour for nothing?—We very often do.

1646. You do not if you can help it?—No.

1647. You would not like to be forced to do so?—No.

1648. You do not suggest that we have not done our duty in the past?—Far from it. May I be allowed to make a statement. It is with extreme reluctance that I come to oppose the Sheffield company, because I am bound to say I have upon all occasions met with fair treatment at their hands, and it is with very great reluctance that I come to oppose them, but this is a very important point bearing upon the fact which I laid before the Committee yesterday.

1649. For that reason you would not inflict loss upon them if you could reasonably help it?—But if they do not charge it now there is no loss inflicted.

1650. As a matter of fact, they do charge it now in cases where it applies?—I beg pardon; they do not charge me. I take it from yourself that it is so.

1651. You know that they charge it where it applies?—In this case it will apply anywhere and in every case; in all cases where a boat passes empty along the canal it will apply.

1652. As a matter of fact, they use that power now, and do charge it?—I do not know it as a matter of fact.

1653. If that is so, if this is taken away from them, it means, adding to the loss which we have already proved?—I take it from you.

1654. And you would not like to inflict loss upon us unduly?—No, and I do not wish you to inflict loss upon me.

1655. Do you want to alter the existing status? You have gone on, knowing what there was and content with the existing status?—I am not content with the existing status.

1656. You went on, knowing it?—I maintain that the status is a wrong one from beginning to end.

1657. And the existing legislation is wrong?—If you please.

1658. Do you deal with the Leeds and Liverpool Canal?—No, the Leeds and Liverpool locks are too short for our boats.

1659. But the Leeds and Liverpool Canal is a flourishing concern?—Yes.

1660. Can you suggest any reason why the Leeds and Liverpool, having got this charge, and being allowed to keep it, being a flourishing concern, we, being a poor one, should have it taken away from us, though Parliament has given it to us?—I am bound to object to the charge.

1661. Can you suggest any reason why we should have different treatment from somebody else who is better off than we are?—If you put it generally I say you have picked out an isolated case, whereas, in nearly every other

canal

Mr. *Worsley Taylor*—continued.

canal in the country there is no such power given.

1662. The Leeds and Liverpool has been dealt with; can you suggest any reason why we should have harder treatment meted out to us than they have meted out to them?—I am not here to make a comparison between the two.

1663. You say our locks are larger than the Leeds and Liverpool?—No, your locks are only half the size.

1664. What you said about getting the water you know would apply only in the case of getting water from the Huddersfield Canal down as low as between Ashton and Manchester?—Yes.

1665. For all the rest of the sytem of the 69 miles it would not apply?—No, it would not apply.

The Witness is directed to withdraw.

Mr. *Waghorn.*] That is all my evidence.

Mr. *Worsley Taylor.*] I do not know that I need say anything upon this.

Mr. *Waghorn.*] I have a short statement to make. The precedent of the Leeds and Liverpool Canal has been quoted to the Committee. The charge on an empty boat allowed on the Leeds and Liverpool Canal is 2*s.* 6*d.*; the locks upon the Leeds and Liverpool Canal are rather more than double the size of those on this canal, but with that one single exception of the charge on the Leeds and Liverpool Canal, the charge which is now being asked for by the Manchester, Sheffield, and Lincolnshire Railway Company is entirely an exceptional charge, and is made entirely exceptional for this western canal. It will only apply to traffic going to and from Stalybridge on the Huddersfield Canal, and the Committee will remember, by the plan which they saw yesterday, that the water which is used for this traffic going to Stalybridge is water supplied by the Huddersfield Canal; whether a boat goes up, or whether a boat goes down, it brings or takes the water with it. There is no reason alleged on behalf of this company why any special charge should be made in this case at all. If it is founded upon waste of water, no waste of water occurs upon this extraordinary rich part of their canal. The learned Counsel suggested to you in cross-examination that they do not make this charge at the present moment, but they wish to apply it under some other circumstances. If there are circumstances where the charge would be a fair one, we do not wish to prevent them charging it; but if it is defined in any form whatever, it should not apply where it is not fairly chargeable. With these observations I must leave it to my learned friend.

Mr. *Worsley Taylor.*] We have got this now, that there has been no complaint from the traders to this extent, that nobody has come to suggest that this has stopped the use of the canal, and I thought we were going to have absolutely no evidence upon it. All we have had are the few shadowy observations of Mr. Morton, who says he came there knowing this, and has been doing a reasonable amount of traffic during the time he has been there. He does not say it prevents his trade in any way. It has been dealt with in a former case upon the same ground upon which it has been put by the Board of Trade into this order of the Leeds and Liverpool Canal. It is proved that it does no harm there, and I ask the same measure to be meted out to us as was meted out to them. We are subject to very considerable loss already. The power to charge this was taken into account when the estimate of loss was made out, and the whole result of striking this out would be that the 12,000*l.* must be added to by whatever is lost under this.

Mr. *Pelham.*] You forget the 0·75*d.* which has been given you.

Mr. *Worsley Taylor.*] If this had been in addition that we asked over something that was in the Bill already that observation would be justified, but it is not. We took into consideration what was in the Bill itself, therefore I am right in saying that if it is struck out of the Bill our loss will, *pro tanto*, be increased.

Sir *Richard Paget.*] What were the particular circumstances under which the grant was made in the case of the Leeds and Liverpool Canal?

Mr. *Worsley Taylor.*] I was not in that case, but I am told that they had already got the statutory power, and it was thought that they should have something in respect of it. It was not a compromise; it was threshed out before the Committee. My learned friend Mr. Moon was in it, and he says I am right. The only ground, so far as I can see, upon which it is sought to claim this exemption is that matter of the lockage water down from the Huddersfield Canal. The Committee will see in a moment that that only applies to the case of boats going through the lock, and is incidental; it does not follow that for every boat going through the lock we get the water; when a boat goes through we do get the water, but that does not cover the whole matter. Manifestly, it is only in a certain proportion of cases we get the water when there is an exchange of traffic, and it does not follow that it applies to every boat going through the lock. We have got for this length of canal our own reservoirs, just as we have in the rest of the district. In the majority of cases we have to provide our own water, and, therefore, the only solid argument is gone. It may apply here and there, but in the majority of cases, certainly not. The cost of the lock of water, the Committee remember, is double what we shall get, and further, that remark applies only to the section between Stalybridge and Ashton, our clause manifestly goes to the whole system of 69 miles, that being only a corner, I should think it is only one-eighth or one-tenth of the whole, anyhow, it can only be urged with regard to that, and only with regard to a limited part of it. Therefore, I ask your Grace not to make the difference in the way that the Leeds and Liverpool received it.

Mr. *Whitehead.*] Here is a copy of the proceedings with reference to the Leeds and Liverpool Bill that I have turned up, which will answer the question of the honourable Member. I am not intervening in the discussion at all, but if the facts are material they are set out in the Blue Book. The power in the Leeds and

Liverpool case was 5*s.*, and the Committee gave them 2*s.* 6*d.*

Chairman.] It runs "for an empty boat which passed through one or more locks on the western canal the company may charge the sum of 3*s.*" Why did you select the western canal, Mr. Pelham?

Mr. *Pelham.*] Because it was the only canal where there was a statutory power to charge it at the present time. The Board of Trade felt that their proposed scale did inflict a very heavy loss on the company, and they they wished to concede every possible point. As it had been conceded in the case of the Leeds and Liverpool Canal Company, and as this company has got this special power, we thought it might be conceded in this case. I do not think it was a very satisfactory way of doing it, and it is perhaps to be regretted that the same principle does not apply to all canals everywhere, either that it should be charged, or that it should not be.

The Committee deliberate.

Chairman.] The Committee retain lines 4 and 5.

Mr. *Pelham.*] The other amendments to this clause are consequential, and will be dropped. Those are empty boats, which will follow the decision with regard to the minimum boat-loads.

Chairman.] How far can we go down?

Mr. *Pelham.*] Go down to line 17, the last amendment on the page.

Chairman.] Is it agreed that all the amendments between "omit, 'three and insert two,'" down to "omit 'six and insert ten'" are abandoned?

Mr. *Worsley Taylor.*] Yes.

Mr. *Waghorn.*] Yes, I think so.

Chairman.] Now we will deal with page 20, line 17, insert "Provided also that the tolls and charges in this section mentioned shall not become payable in respect of a boat received from or passing on to the canal of another company at a higher level." That is the next amendment.

Mr. *Waghorn.*] That is not of very much consequence upon this canal, and under the circumstances I will not take up the time of the Committee; I will withdraw that.

Chairman.] You abandon that?

Mr. *Waghorn.*] Yes.

Mr. *Whitehead.*] The next four amendments stand in the name of the Mining Association of Great Britain, and I wish to withdraw them; but in doing so, I should explain to the Committee this point: Those amendments deal with Section 2 and Section 3, and in withdrawing them I wish to explain to the Committee that I do so owing to the fact that the witness who would have been here has left the room, as I explained to the Committee a few minutes ago; and I am not able to move the amendments for that reason. These sections introduced the principle of bonus mileage which the Mining Association consider a very important one, and in withdrawing their amendments to these two sections they do not in any way give up their protest, which they may raise at some future time against the principle of inserting bonus mileages into the Schedule. As long as that point is clear I am satisfied, and I withdraw the amendments on that understanding. The principle of bonus mileage has been dealt with once by the Committee, and now it comes a second time, and it will come again undoubtedly in subsequent Schedules, and when they are dealt withthe Mining Association have not in withdrawing these amendments conceded the principle of bonus mileage in any Schedule.

Chairman.] You mean in future stages of the Bill?

Mr. *Whitehead.*] Yes.

Mr. *Worsley Taylor.*] About the postponed matter, would it not be better to arrange when your Grace will take it.

Chairman.] To-morrow morning, the first thing.

Mr. *Pelham.*] I will meet the parties at half-past 10, and I will have them ready.

[*Tables were delivered in*]:—

Canals of the Midland Railway Company.

Mr. *Bidder.*] In this case I appear with my learned friend, Mr. Moon, and we propose certain amendments to the Board of Trade Schedule. There are only one or two points that the Committee need be troubled with. The canals that are dealt with belonging to the Midland Railway Company are two in number, the Ashby-de-la-Zouche Canal, the length of which is 30 miles, and the Cromford Canal, the length of which is from end to end 14 miles, but with certain small branches, 17 miles altogether. Both these canals became the property of the railway company about 50 years ago, but under these circumstances in both cases the railway being projected to serve the district—it was contended by the owners of the canal that the effect of the railway would be to divert from the canals a large part of their traffic, and that, therefore, it ought to be made a condition of the sanctioning of the railway that the promoters should be compelled to acquire the canals, and the company were required to purchase the canals under these circumstances. As regards one of the canals, the Ashby-de-la-Zouche Canal, I do not think there is any material question. The Ashby-de-la-Zouche Canal is, in point of fact, a level canal, and very simple and inexpensive in its working. There is only one lock at the end of it, and we do not raise any objection to the Schedule as settled by the Board of Trade. But the other canal is of a very peculiar character, and it is almost unique, for though the Committee have had before them several cases of canals that are expensive to maintain, you have not had anything equal to the case of this Cromford Canal. It passes through a country which has been largely worked for coal, and the whole ground underneath it is honeycombed. Though it is only 14 miles long

it has a considerable number of locks upon it, and in addition to that it has four tunnels notably the one called the Butterley Tunnel, a mile and three-quarters in length, and not calculated to develop any great traffic, because it is only nine feet wide, so that only one boat can pass through at a time; and the only means of getting a boat through is by the men laying down and legging it: that is, kicking their feet against the wall. That is an extremely slow and expensive process, and of course as there is only room for one boat when a boat has once entered one end of the tunnel nothing can enter the other end until it has got out. Under these circumstances the Committee will not be surprised to hear that the traffic of that canal so far as it goes through the Butterley Tunnel is very small indeed; there is a certain amount of local traffic which does not pass through the tunnel. Not only is the Butterley Tunnel costly to work and not likely to develop any large traffic, but owing to its having been undermined by the coal workings it is of a most expensive character to keep up. The ground is constantly subsiding, and the company are continually put to expense in making up the tunnel—in point of fact re-excavating and forming the arch of the tunnel, because as the ground sinks the water level remaining the same, the headway is continually diminishing until it becomes insufficient. Then, sometimes, portions of the crown of the tunnel fall in. Under these circumstances the financial results of the working of that canal are these: The total gross revenue from traffic from all sources averages somewhere about 900*l.* a-year; one year it was 964*l.*, and in the next year, 1893, 826*l.* The actual expense, including the maintenance of works averages about 2,500*l.* a-year. In point of fact, if I divided it as I was going to divide it, exclusive of the Butterley Tunnel, the expenditure just about absorbs the revenue; but in addition there is an average of 1,500*l.* a-year that has to be spent upon this Butterley Tunnel. And your Grace, that is not all, because from time to time the company have to purchase the minerals underneath the tunnel when the workings come within the prescribed distance, and upon that they have spent during the last 20 years 1,300*l.* a-year more. So that, practically, putting it altogether, the company spends about 4,000*l.* a-year, and receives about 900*l.* a-year; a most unprofitable undertaking. Under these circumstances the company do object to alterations in the Schedule reducing their charges upon this Cromford Canal below what are the existing powers of charge, and what their actual charges are. If the Committee will turn to the Schedules on pages 22 and 23, they will see that the Schedule on page 22 relates to the Ashby-de-la Zouche Canal, and I have nothing to say to that Schedule; but on page 23 you will find the Schedule relating to the Cromford Canal. The Board of Trade has gone a certain way in giving effect to our remonstrances, because they have put the charges down to 0·5*d.* for uniformity. Though the injustice in that case has been recognised by the Board of Trade, yet they have apparently, for a reason that I do not understand, done neither one thing nor the other. They have very properly refused for the sake of uniformity to cut us down to 0·5*d.*, but they have not retained the maximum charges which they are entitled to at present, which are one penny. I speak principally of Class A., because nine-tenths of this traffic falls within Class A. A great part is coal, and that is the only significant figure in this Schedule. Our present maximum charge is a penny; but having regard to the fact that the charge now is to be by the short ton, we are contented to accept 0·9*d.*, which more than covers the difference; and we ask that that 0·75*d.* should be altered to 0·9*d.* In other cases that figure has been adopted where the circumstances justified it. In the Great Western, Bridgewater, and Taunton Canal, which you passed the other day, and which was about the same length as the Cromford Canal, the Committee sanctioned 0.9*d.* as the charge for Class A.

Now it seems to me that it is impossible to have a stronger case than the present. Here is a canal upon which the revenue is far behind the necessary cost of maintenance and expenses; and I submit that there is no reason or justification why the charging power in respect of mineral traffic should be reduced. I propose to call before you the engineer of the company, who will give the facts which I have stated to the Committee. The amendment which I am upon at the present time is that upon page 2 of the amendments before the Committee, proposed by the Midland Company, under the head of "Maximum Tolls," in Scale 2 to omit 0·75*d.* and insert 0·90*d.*; and in connection with that we may take the amendment to Class C., to omit 0·85*d.* and to put 0·95*d.* in its place.

MR. JOHN ALLEN MCDONALD, is called in; and, having been sworn, is Examined, as follows:

Mr. *Moon.*

1666. YOU are Chief Engineer of the Midland Railway Company?—Yes.

1667. Have you under your charge the canals belonging to the company?—Yes.

1668. The Cromford Canal commences, does it not, without any connection with any other waterway at Cromford?—Yes.

1669. And it runs down to Langley Mill?—Yes, and from there it joins the Erewash Canal and the Nottingham Canal.

Mr. *Moon*—continued.

1670. What is the total length of the canal?—Seventeen and a-quarter miles.

1671. Including the branch running up to Pinxton?—Yes, and that is 2¼ miles; the main canal is 14½ miles; Pinxton branch is rather over 2½ miles, and the quarter of a mile is the little branch at Lea Wood.

1672. How many locks are there upon that canal?—Fourteen.

1673. Does the canal run through a mining district?

Mr. *Moon*—continued.

district?—Yes; after it crosses the river near Ambergate, the coal workings are underneath the whole way to its termination at Langley Mill.

1674. There are several tunnels in the course of the canal, are there not?—Yes; three short ones near Ambergate, and the long one under the Butterley Ironworks, the Butterley Tunnel.

1675. Ambergate is towards the Cromford end of the tunnel, is it not?—Yes.

1676. Part of the canal is narrow, is it not?—Yes; from Cromford to where the Pinxton branch joins it it is only made 9 feet wide for 7-feet boats.

1677. Below that is it a wide canal?—Yes, all locks were originally 15 feet; some are an inch or two less now.

1678. Where is the water supply obtained from for this canal?—From the drainage of the surrounding country. There is a small quantity, but we also pump a considerable amount at Lea Wood, where the canal crosses the river.

1679. That is right up at the Cromford end of the canal?—Yes, about a mile and a-half from the end.

1680. Where I see "aqueduct" on the plan?—Yes.

1681. That, I suppose, is the highest level of the canal?—Yes; the canal is all one level from there to Pinxton, including the Pinxton branch.

1682. Is the water supply difficult to maintain; do you have to do a good deal of pumping?—Yes, particularly in the summer.

1683. Is it a costly business?—It is.

Mr. *Moon*—continued.

1684. What is the cost to you of providing a lock of water upon your canals?—It works out to about 11*s.* 9*d.* a lock, that is to say, 11*s.* 9*d.* for each boat passing through the lock.

1685. I believe in getting at that figure you have taken the figures of 1892, and not the figures of last year, have you not?—Yes, that is so, because the pumping in last year was very much larger than usual on account of the drought.

1686. So that last year the cost would not be a fair basis to ascertain the cost of a lock upon?—No.

1687. Is the canal expensive to maintain?—Yes, the chief difficulty is owing to the coal workings. We are constantly having to raise the tow-path and the side of the canal for miles in length, and we also have to raise the walls, and the Butterley Tunnel is a very serious matter. Whenever they work a seam of coal from beneath it the tunnel gradually sinks, and we have to keep the water level constant; the result is that if the tunnel is not damaged by the coal workings we have to pull the roof out, and raise it so as to alllow the barges to pass.

1688. Apart from the ordinary maintenance of the canal, it is necessary for you to incur an extra expenditure for the purpose of keeping the canal in working order?—Yes.

1689. And you have the details of that, both of the ordinary maintenance expenditure, and the works upon the canals, and the extra cost in relation to this tunnel?—Yes.

1690. I will put those in?——

[*The Witness hands in the following Statements*:—]

MIDLAND RAILWAY.

Cromford Canal.

(1.) Statement as to Expenditure on Maintenance only.

	£.
Average Expenditure on Maintenance only, per Annum for Four Years from 1885	865
For year 1889	3,012*
„ 1890	1,192*
„ 1891	3,526*
„ 1892	1,873*
„ 1893	2,179*

* These figures include extraordinary expenditure on the Cromford Canal for repairs of the Butterley Tunnel.

	£.
In the year 1889	2,358
„ 1890	290
„ 1891	2,771
„ 1892	1,063
„ 1893	1,053

(2.) EXPENSES in connection with PUMPING ENGINE.

	£.	s.	d.
For year 1888	255	8	1
„ 1889	240	9	3
„ 1890	301	9	3
„ 1891	190	5	11
„ 1892	223	2	3
„ 1893	355	14	7

MIDLAND RAILWAY.

CROMFORD CANAL.

STATEMENT of the AMOUNT of TRAFFIC, the REVENUE, and EXPENDITURE, on the CROMFORD CANAL for the Years 1892 and 1893.

	1892.	1893.
Traffic :		
Tonnage conveyed by company	Nil.	Nil.
„ „ by others Tons	40,897	30,997
Revenue :	£.	£.
From freights as toll-takers	836	706
Rents, wharfages, weighing charges, &c.	128	122
£.	964	828
Expenditure :		
Maintenance of Works	1,873	2,179
Pumping Engine	223	356
Management, Salaries, &c.	117	117
Rates and Taxes	32	39
£.	2,245	2,691
The above does not include any Charge for Interest on Capital of £.	93,500	

MIDLAND RAILWAY.

Cromford Canal.

Comparison of Present Receipts with those Estimated at the Scale Proposed in the Bill and at the Scale Proposed in the Company's Amendments.

Six Months' Traffic, ended June 1893.

	Present Receipts.	Estimated Receipts at the Scale in the Bill.	Estimated Receipts at the Scale as proposed to be Amended by the Company.
	£. s. d.	£. s. d.	£. s. d.
Class A. - - - - - - -	343 14 8	241 1 10	285 5 10
„ B. - - - - - - -	2 18 11	1 9 6	1 16 5
„ C. - - - - - - -	6 9 4	4 5 7	4 5 7
Special (empty boats) - - - -	3 – –	—	—
£.	356 2 11	246 16 11	291 7 10
Weighings - - - - - - -	40 14 8	40 14 8	40 14 8
Wharfage - - - - - - -	Nil.	38 6 –	38 6 –
£.	396 17 7	325 17 7	370 8 6

Mr. *Moon*—continued.

1691. Did you first take out the average expenditure on maintenance only for four years, from 1885 to 1889?—Yes.

1692. By "maintenance only," I assume you mean maintenance as distinguished from the extra expenditure for particular purposes?—Yes.

1693. That shows a figure of 865*l.* as the average for the four years?—Yes; taking the two together, including the extra expenditure on the tunnel, it works out to 2,356*l.*

1694. Upon the average?—Yes, the average for the five years.

1695. Taking the figures in 1889 the maintenance and expenditure on the Butterley Tunnel amounts to 3,012*l.*?—Yes.

1696. And then it was little less in 1890, rather more in 1891, and rather less in 1892, and 2,179*l.* in 1893?—Yes.

1697. You have given separately the extra expenditure for the repairs of the Butterley Tunnel during those years?—Yes.

1698. Have you come to the end? Do you think there is no longer any necessity for extra expenditure on the Butterley Tunnel?—No, certainly not; at the present time the Butterley

Mr. *Moon*—continued.

Iron Company are working another seam of coal towards the tunnel, and we shall have a similar difficulty in three or four years time to that which we had four years ago.

1699. So you have to expect to incur a still further large expenditure?—Yes.

1700. I do not know whether other parts of your canal are affected by mining operations as well as the tunnel?—Yes, nearly the whole length from the Butterley Tunnel to the end, which is considerably more than half of the tunnel, quite recently at Beggar Lee, near the south end of the canal, between locks 13 and 14, there is a long wharf at which they load coal from the Beggar Lee Colliery. I have been obliged to raise portions of that at considerable expense, and at lock 13, and for a considerable distance above lock 13, the sides of the canal have had to be raised, that means that the locks have had to be raised as well, and new gates have had to be provided or made higher.

1701. Owing to the Butterley Colliery's mining operations?—Yes.

1702. I suppose when mining operations go on under your Butterley Tunnel, and sinkages take place, you find it is necessary to close the tunnel?

Mr. *Moon*—continued.

tunnel?—We have to close the tunnel if we pull the roof down. One or twice we have had failures (owing to coal workings) in the brick lining of the tunnel, and we have been obliged to close it while that was being made good.

1703. While the sinkage is going on you have to close the tunnel?—Yes; as a matter of fact, it would be almost more difficult to pull the top of the existing tunnel out and make it good again than it would be to drive a new tunnel through the same ground if it were solid.

1704. So you have had no help for it but to close that part of the canal during such times as you were repairing the tunnel?—On two occasions we could not help its being closed for some considerable time.

1705. You have given in the same Table the expenses you incur in connection with your pumping-engine?—Yes.

1706. They vary a little; but taking the year 1892, they are 223*l.*, upon which you have based your expense of water?—Yes, that was about an average year, the quantity of water we have to pump varies with the weather. If we get a wet season we do not require so much.

1707. Besides the expenditure shown here, have the company been obliged, for the purpose of keeping up the canal, to expend capital in the purchase of minerals?—Yes; on several occasions we have had notice that the owners of adjoining collieries, collieries near the canal, intended to work minerals under it, and rather than risk the damage the canal would suffer, we have purchased the pillars of coal sufficient for the support of it. Since 1873 those purchases have amounted to 26,000*l.*

1708. You have expended 1,300*l.* a year for the purchase of minerals which you cannot utilise when you have got them?—That is so.

1709. Have you still, if the canal is to be kept up, as you are bound to keep it up under the Act of Parliament, to look forward to purchasing more mineral property?—I am afraid so.

Mr. *Bidder.*] I do not know whether anyone is appearing in opposition to our amendment now.

Chairman.] We will hear what the Board of Trade has to say.

Mr. *Bidder.*]I should like to call Mr. Shaw to prove the other part of the Table.

Mr. JOSEPH SHAW, is called in; and, having been sworn, is Examined, as follows:

Mr. *Bidder.*

1710. You are the traffic manager of the canals of the Midland Company?—I am.

1711. With regard to the Tables put in before the Committee, taking the first Table, is the traffic as to tonnage and receipts correctly extracted from the books of the company?—Yes.

1712. Is it the fact that the total revenue was 964*l.* in 1892, and 828*l.* in 1893?—Yes.

1713. Turning over to the third page of the Table before the Committee, have you worked out what your receipts are in respect of Classes A., B., and C., which are in question upon this amendment,—what they are at the present time; what they would be if the scale in the Bill were adopted, and what they would be if the Committee accepted the amendment we are now proposing?—I have.

1714. I see without going into it in detail that the present receipts, being a total of 396*l.* 17*s.* 7*d.*, if the scale in the Bill were adopted, that would be cut down to 325*l.* 17*s.* 7*d.*, or a loss of 71*l.*, between a 5th and 6th of the whole, and if the amendment we are proposing were adopted, it would be 370*l.* 8*s.* 6*d.*, or a loss of 26*l.*?—That is correct.

Sir *William Houldsworth.*] Is that in six months?

Mr. *Bidder.*

1715. Those figures are for six months?—Yes, ending June 1893.

Sir *William Houldsworth.*

1716. May we double them for 12 months?—You may fairly double them.

Mr. *Bidder.*] That is all the evidence I propose to trouble the Committee with.

Mr. *Pelham.*] I should like to know what the exact proposals are; what are the amendments proposed.

Mr. *Bidder.*] I thought it better to take one at a time. I am simply on the proposal to change ·75 into ·90, and ·85 into ·95, that is the one now before the Committee.

Mr. *Pelham.*] No doubt this is a very special canal; it is not part of a through route, except the bottom part, the lower and southern end, which connects with the Nottingham Canal and the Erewash Canal. There is very little traffic that passes from the south end to the north end. At the Board of Trade Inquiry it was urged that the reason of that was the closing of the tunnel for repairs from time to time. Of course the answer of the company was that the repairs were necessary by reason of the mining underneath that tunnel, and the consequence was that very little traffic goes through the tunnel. But a great deal of traffic at the south end, particularly from Beggar Lee Colliery, which goes off on to the Erewash Canal and the Nottingham Canal, and in the other direction north or north-west of the tunnel, goes away to some place in Derbyshire, where it has no water connection; it goes on to the railway. It is quite clear to the Board of Trade that the ordinary scale of ·50 would not be fair, and they have given a scale which, according to this Table, gives a loss on the present income of 140*l.*, I think 70*l.* for the half year. It is impossible to say exactly what would be the right amount.

Mr. *Bidder.*] Why should we lose anything?

Mr. *Pelham.*] It is rather difficult for me to say very much in the absence of opposition.

Mr. *Bidder.*] No one will say that we have done anything to deserve being penalised.

The Committee will observe that the traders themselves are perfectly content with our amendment.

The Committee deliberate.

Chairman.] The Committee accept Mr. Bidder's figures under the special circumstances of the case.

Mr. *Bidder.*] I will now take the amendments on the first page—the first four amendments. I think in fact all but the last amendment on that page may be dealt with together—they all relate to the same matter. We may dispose of all the amendments but the last, by one series of observations. If you look at the special conditions applicable to our canals on page 21, you will see that the provision is "Where merchandise is conveyed in a boat which passes through one or more locks on the canal the company may charge a minimum toll of 2*s.* 6*d.*" Now with regard to that the facts are these: The traffic that this would relate to is mainly the Beggar Lea traffic; it is very near the end of the canal—I think it only goes about half-a-mile or less upon the canal, and then it passes off by one of two locks, either to the Nottingham Canal or to the Erewash Canal. If it passes on to the Nottingham Canal, it passes through a lock where there is a very small loss of water, but if it passes on to the Erewash Canal then there is a considerable fall, and a good deal of water is consumed in doing so, which is part of the water represented by our pumping expenses. At present we have the power of charging 1*d.* a mile and an additional 3*d.* under our statutory powers. So I suppose, practically, we could charge 4*d.* a ton; but, as a matter of fact, we actually do charge 1*d.* if the boat is going to the Nottingham Canal, and 2*d.* if it is going to the Erewash Canal, for the reason I have indicated, that it takes a larger quantity of water. The Committee may take it that the boats in use upon this canal run about 30 tons, and, consequently, our minimum charge, if the coal is going to the Nottingham Canal, is 2*s.* 6*d.*, and if it is going to the Erewash Canal it is 5*s.* That is what the traffic is paying to-day, and that is within our power, and, consequently, the amendments which the Committee will find on the first page of the amendments, are with the view of preserving the power of charging what we are actually charging. Instead of making the minimum toll 2*s.* 6*d.* in every case, we want to provide that where a boat is passing on to the Nottingham Canal only through the canal, then the minimum shall be 2*s.* 6*d.*, but where it is passing through any other lock then the minimum shall be 5*s.*

Chairman.] Do you propose to confine this 5*s.* to this particular canal?

Mr. *Bidder.*] We do not want it on the Ashton, the Ashton is practically a level canal; it is simply with reference to this Cromford Canal, and we want to alter the proposal so as to preserve our present charge of 2*s.* 6*d.* for the Nottingham traffic and 5*s.* for the Erewash traffic. Everybody interested in the traffic is perfectly content with that; it is a broad canal and takes a lot of water.

Mr. *Pelham.*] When this was proposed at the Board of Trade inquiry, it was a proposal that it should be 5*s.* for any lock, and it did appear that that would give a very substantially increased charge on traffic going on to the Nottingham Canal, and that was why it was reduced. Of course it makes a difference, it being separated, but I think the Committee should satisfy themselves that it is not an undue preference for the traffic coming off one canal as compared with traffic coming off another.

Mr. *Spicer.*] I would like to know whether any trader appeared before you at the Board of Trade.

Mr. *Pelham.*] Yes.

Mr. *Spicer.*] On both these questions?

Mr. *Pelham.*] Yes.

Chairman.] They are not here to-day?

Mr. *Pelham.*] No.

Chairman.] The Committee will allow this amendment proposed by Mr. Bidder.

Mr. *Bidder.*] Practically I think that covers all the five amendments. With regard to the one at the bottom of the page, that about steamboats, the case is something like what you have heard in the case of other canals.

Chairman.] It was suggested that that would come within the scope of the bye-laws of the company.

Mr. *Bidder.*] We require such a provision as this from the nature of the banks of the canal; it is positively dangerous to have steamers on the canal, and we want to have the means of stopping them.

Mr. *Pelham.*] The duty of the Board of Trade, I take it, was not to say what traffic was or was not to go on the canal, but to fix the maximum rates, tolls, and charges.

Chairman.] Cannot the canal company under their bye-laws prevent any steamers going along the canal? Mr. Worsley Taylor said that was so in his case.

Mr. *Moon.*] It is in some cases, not in others.

Mr. *Pelham.*] The powers of canal companies are very different, and it is impossible to say what powers they have got. What I submit is that such a provision as this should not be put in a Schedule fixing the maximum tolls and charges.

Mr. *Bidder.*] If you look at page 27 of the Bill you see that the Board of Trade in this very Order have allowed exceptional charges for tugs not carrying cargo in Schedule A., and it seems to me that in a canal not adapted for steam, and in which it would be extremely inconvenient that steam should be used, for steam vessels there should be an exceptional charge; the company ought to have the power of making a reasonable charge subject to the Board of Trade. It is difficult to draw a distinction between the two.

Mr. *Pelham.*] That matter of the charge for the passage of tugs not carrying cargo on a canal was argued fully last year and settled by the Committee. When a tug or steamer carries merchandise it probably carries a great deal more merchandise, and the company get the benefit of the higher tolls.

Mr. *Moon.*] I may remind Mr. Pelham that the discussion arose on canals along which steamers

steamers were in the habit of passing, and the question was whether the steam tugs carrying cargo should be charged extra or not.

Mr. *Bidder.*] A steamer is quite out of place on our canal, and if it comes it should have applied to it a sum fixed by the Board of Trade.

Mr. *Pelham.*] It is inconsistent with the general conditions. It is impossible for me to say whether steam vessels ought to be used on this canal or not.

Mr. *Bidder.*] I should like to call Mr. Macdonald upon this point.

Chairman.] Suppose a steamship owner wished to run his vessel upon your canal; have you any power to prevent it?

Mr. *Bidder.*] I am very doubtful whether we have. I should not like to answer the Committee offhand without looking to our Acts of Parliament.

Mr. *Pelham.*] Is the object to keep off steamboats? If it is an arbitrator would not take that into consideration; he would not fix a sum to keep off steamers.

Mr. *Bidder.*] We do not want to encourage steamers, but we say if a steamboat comes the charge ought to be fixed with regard to the amount of injury the steamboat does the canal.

Chairman.] Could not you look at your old Acts and let us know what powers you have under them to-morrow.

Mr. *Bidder.*] Yes.

Mr. JOHN ALLEN McDONALD, called again.

Mr. *Bidder.*

1717. Will you tell the Committee what are the facts with regard to the nature of the canal and the propriety of steamboats being allowed on the canal?—I think it would be disastrous to allow any form of steamboat on the upper reach of the canal between Pinxton and Cromford, the canal contours round the edge of the slope, and in many places the bank is only just the width of the tow-path; it is carried over the railway and at two different places, in an iron trough.

Chairman.

1718. Then a steamer would go aground every five minutes?—A steamer going at the rate of four or five miles an hour would leave the canal empty two or three hours afterwards, it would wash the banks down; the banks are composed of such sandy stuff that even the rats make leaks and men have to go out and stop them.

Chairman (To Mr. *Bidder*).] Your proposal seems rather to recognise the fact that a steamer may go on the canal. The witness said it would be disastrous to allow it to go.

Mr. *Bidder.*] It recognises the fact that a steamer may want to go, and when it does go we have the right to ask what is reasonable under the circumstances. It would be a high charge which would not encourage them to come again.

Chairman.] Your high charge would not meet the case of this gentleman, who says that a steamer would destroy the canal.

Mr. *Pelham.*] It would be impossible for an arbitrator to fix a reasonable sum in that case.

Chairman.] Perhaps you will look at the Acts and see what powers you have between now and to-morrow.

Mr. *Bidder.*] Those are all the amendments we have to propose. There are one or two in the name of the Mining Association; I do not know whether they are going to press them.

Chairman.] As they do not appear to be here to support them, we will strike them out.

Mr. *Bidder.*] We will withdraw this amendment with regard to steamboats.

Chairman.] Then the Midland amendments are disposed of?

Mr. *Bidder.*] Yes.

Ordered,—That this Committee be Adjourned to To-morrow, at Half-past Eleven o'clock.

Die Mercurii, 20° Junii, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
	Mr. Joseph Richardson.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 3) BILL.

Aberdare, &c., Canals.

Mr. *Soutter.*] The Company of Proprietors of the Erewash Canal have found it necessary to lodge a Petition against No. 3 Bill after time, and I ask that the Committee will allow them to appear upon their Petition. We have lodged the petition to-day praying to be heard; but as it is after time we are not able to be heard unless your Grace can give us permission?

Chairman.] Why was it lodged after time?

Mr. *Soutter.*] They wish to be heard against the clause continuing the exemptions. They were under the impression that your Grace would have decided the principle of continuing those exemptions upon the first case, but it has been decided by the Committee that each case must stand upon its own merits.

Chairman.] You must go to the Lord Chairman of Committees.

Mr. *Soutter.*] Last year the House of Commons gave leave to Petitioners to appear after time in one or two cases. In the case of the Rochdale Canal, on the 8th of June, you allowed the parties to appear, though they were after time.

Mr. *Pelham.*] That Petition has been withdrawn.

Chairman.] This Committee cannot give you leave; you must go to the Lord Chairman of Committees.

Die Jovis, 21° *Junii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON.
Earl of LAUDERDALE.
Lord CLIFFORD OF CHUDLEIGH.
Lord HERRIES.
Lord HAWKESBURY.

Sir WILLIAM HOULDSWORTH.
Sir RICHARD PAGET.
Mr. JOSEPH RICHARDSON.
Mr. SPICER.
Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(CANALS OF THE GREAT NORTHERN AND CERTAIN OTHER RAILWAY COMPANIES.)

(CANALS OF THE MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY COMPANY.)

Mr. *Pelham.*] YESTERDAY the Committee decided that the Manchester, Sheffield, and Lincolnshire Railway Company should be allowed a higher toll for certain traffic in Class C. on the eastern canal, that is the canal near Sheffield, but not including the Chesterfield Canal. The consequence is, that it has been necessary to make three scales instead of one; one applicable to the western canal, one to the Chesterfield Canal, and another one to the eastern canal. I have been with the company's managers this morning, and they are willing to accept what I propose, which is a rather higher scale for Classes 1 to 5, and to put those articles, namely, grain, timber, iron, and steel from Class C. to Classes 1 to 5, and it is proposed that they should have the following scale: 1·0*d.* for the first 10 miles; 0·95*d.* for the second 10 miles; 0·85*d.* for the third 10 miles, and 0·60*d.* for the remainder of the distance; that is per ton per mile. I should say that that is the same scale as the Board of Trade proposed for Classes 1 to 5 upon the North Staffordshire Company's canals. The North Staffordshire scale is on page 27 of the Bill. Your Grace will see that for Classes 1 to 5 it is 1*d.* This scale will be the same except that those three articles will be taken out of Class C., and put with Classes 1 to 5.

Chairman (to Mr. *Littler*).] Have you anything to say to that?

Mr. *Littler.*] We attended before the Board of Trade, and we have done our best, and have considered carefully what the Board of Trade approve; and though it does involve us in a loss as compared with our present rates, we are not prepared to say that we ought to dispute the matter and raise any objection before the Committee; and if nothing is done to reduce that by any of the opponents we should accept the proposal which Mr. Pelham has just put before the Committee. Of course if the opponents choose to leave it open we cannot be supposed to accept any loss whatever. This involves a certain loss, but not so much as the original scale would have done; therefore it would not have been right as the Board of Trade have taken the trouble to carefully consider it to resist that position unless somebody on the other side forces us into it.

Chairman.] I do not see how anybody can question it, because this is carrying out a decision of the Committee.

Mr. *Littler.*] It is distinctly carrying out the decision of the Committee.

Mr. *Pelham.*] There was another amendment, which was with regard to the minimum toll for boats. The Committee decided that the minimum toll for boats should be 5*s.* on the eastern canal, not on the Chesterfield or on the western canal, which was to remain at 3*s.* I have prepared a clause carrying that out. It is hardly necessary to read it.

Chairman.] It is to carry out the views of the Committee?

Mr. *Pelham.*] Yes.

Canals of the North Eastern Railway Company.

Mr. *Pelham.*] We now come to the North Eastern Canals.

Mr. *Moon.*] The question arising upon the North Eastern Schedule is not a matter of very great importance. The amendments have been handed in. We do not propose to move the first amendment, page 23, lines 23 and 24, to strike out "two shillings and sixpence" and substitute "five shillings." We do not move that, nor in lines 26 and 28 to strike out "two shillings and sixpence" and substitute "five shillings" in each case. The next amendment is on line 34, to strike out "a" before "mile" and insert "the first," and the consequential amendment we propose to move, but it will meet with no opposition, that is, in line 34, after "charge," to insert "as for a mile and for a fraction of a mile after the first mile the company may charge." The effect will be that for a fraction of the first mile we shall be entitled to charge as for one mile. There are plenty of other precedents in the Bill both in the Schedules you have passed and in the Schedules which are to come; the Board of Trade agree, and the opponents agree to that. Then there is an amendment dealing with the tolls proposed by the Board of Trade, both as regards the Boroughbridge and Ripon Canal and the other canals; the Committee will be only troubled with the first amendment, that is, the amendment as to maximum tolls for charging upon the Boroughbridge and Ripon Canal. That amendment is as follows:—

Page 24, strike out Table A., Part I., Scale I., and substitute the following:—

"TABLE A.

Part I.—Applicable only to the Boroughbridge and Ripon Canal belonging to the North Eastern Railway Company.

In respect of Merchandise comprised in the undermentioned Classes.	Maximum Tolls.	Maximum Wharfage Charges.	
	Per Ton per Mile.	*Per Ton.*	
	d.	*d.*	
A.	·90	·150	A.
B.	1·10		B.
C.	1·30	3	C.
1	1·50	3	1
2		4	2
3		4	3
4		4	4
5		4	5"

The next page goes out.

Chairman.] There is the amendment in line 34, after "charge," and so on.

Mr. *Pelham.*] That is a consequential amendment.

Mr. *Moon.*] I do not know whether there is any opposition to the amendment proposed by the North Eastern Railway Company in respect of the Boroughbridge and Ripon Canal. There was opposition in the case of the Derwent Navigation, but that has been arranged, and the parties have gone away. If there is no opposition to the proposal of the company as regards the Boroughbridge and Ripon Canal, it is no use my taking up the time of the Committee by stating what the circumstances are of that canal.

Sir *Richard Paget.*] You ask for a higher charge than that recommended by the Board of Trade.

Mr.

Mr. *Moon.*] If the Committee think I ought to substantiate it, I will go into the case.

Chairman.] I understand you have come to some arrangement with the Board of Trade with regard to Table A.?

Mr. *Pelham.*] I will explain the circumstances to your Grace. Nothing has been agreed with the Board of Trade, but nobody opposes where there is no objection; I should like to state one or two circumstances connected with the case.

Chairman.] I want to hear from Mr. Moon, first, what the proposals are with regard to the scale.

Mr. *Moon.*] The Board of Trade proposal is in respect of Classes A. and B. The proposal is to increase the tolls upon the Boroughbridge and Ripon Canal over those proposed for us by the Board of Trade. We propose to take in respect of this canal, which is a canal 10½ miles long, through an agricultural district with a very small traffic upon it, the tolls which have been fixed by the Committee already in the case of a corresponding canal, the Bridgwater and Taunton Canal. We propose to take 0·90*d.* for Classes A. and B. It is a reduction upon our amendment as proposed; C. to 5, 1·15*d.*; those are the tolls applicable to the Bridgwater and Taunton Canal.

Mr. *Pelham.*] I feel a little difficulty in saying sometimes that the Board of Trade agree to proposals which are made by the companies in this room where there is no opposition, because I am afraid that very often where there has been opposition before the Board of Trade, and the Board of Trade has fixed a lower toll than is actually now in force, the trader is content with it and does not think it necessary to appear before the Committee. But the circumstances of this canal are somewhat peculiar. The Board of Trade made certain proposals to the North Eastern Railway Company after the holding of the inquiry which are now on the Schedule; they are higher tolls than those which were sanctioned by the Committee last year; but no doubt the canal is an agricultural canal and there is very little traffic upon it. In most cases where the Board of Trade made proposals the companies came before me again or wrote about it, and the matter was thoroughly threshed out, and then very often those proposals were amended by me, submitted to the traders, and they made difficulties; and then I saw both the traders and the canal companies again. But in this case I was not able to go into the question a second time, because the North Eastern Company would have nothing to do with the proposals which the Board of Trade made, and said they could not admit of any reduction whatever on the existing tolls; and therefore I never saw them again after the inquiry. It might be very inconvenient to do this, because as I said before the traders might be lulled into a false sense of security by the fact that the Board of Trade, having suggested a low figure, the company come and say there is no opposition and propose a higher toll. But I have gone into this question, and I do find that the tolls now proposed by the railway company will inflict a considerable loss on them, and that in no case will there be any increase of tolls to the trader; I also find that though there was a good deal of discussion before me, there was no trader appeared from the Boroughbridge and Ripon Canal to oppose. I think the Mansion House Association did appear and argued generally that the tolls should be at the ordinary scale. Now the existing tolls bring in an income from that canal of 156*l.* 18*s.* 5*d.*, the Board of Trade proposals cut it down to 78*l.* 18*s.* 5*d.* I understand that the proposal made by the company will give a revenue of 93*l.*, which is still a considerable reduction. I think where the toll does at the present time press hardly upon the traffic, particularly on the mill-owner close to the Milby Lock, he will get considerable relief. I do not think under all the circumstances of the case the tolls proposed are at all out of the way, or unusual.

Mr. *Moon.*] May I say that the result of this on the company's amendments will be that they will be left with the maintenance of this canal at an expense to them over the receipts of 400*l.* a year for the canal 10 miles long. That is serious enough; but I want to say, with regard to what Mr. Pelham has stated, that the company answered the overtures which the Board of Trade made by saying they could not accept anything less than the charges they were then making. A little misapprehension existed in the minds of the company, and they considered that by commencing negociations with the Board of Trade, they would be imperilling their position before the Joint Committee. That was one of the reasons inducing them not to meet Mr. Pelham in the way the other companies have. I am sure Mr. Pelham will not think it was owing to any discourtesy or feeling as regards the Board of Trade that they took that course. There was another reason, which is interesting, and it is this, that the company having lost 400*l.* a-year for a number of years, they this year deposit in Parliament a Bill to enable them to transfer this canal or abandon the canal to anybody who would take it for nothing; and the company would be very willing if the Corporation of York, who are the Committee of the Ouse Navigation, would take the canal off their hands and maintain it, and the company would be willing to allow them or any other members of the public who want this canal, to take this canal off their hands for nothing whatever.

Chairman.] Then we will pass that part of the Schedule.

Canals of the North Staffordshire Railway Company.

Mr. *Pelham.*] I understand there are only two amendments, the last two on the page. Messrs. Brunner, Mond, and Company propose one, and the company propose the other. They are both relating to bonus mileage.

Mr. *Littler.*] There are only two short points in this matter at all.

Mr. *Whitehead.*] There is one amendment in the list standing in the name of Brunner, Mond, and Company; the second amendment stands in the name of the North Staffordshire Railway Company. What I want to suggest to my learned friend is this, that if he will leave the Schedule as it stands, as settled by the Board of Trade, I will withdraw my amendment.

Chairman.] You mean, to omit Section 3?

Mr. *Whitehead.*] Yes, if my learned friend will accept the Schedule fixed by the Board of Trade.

Mr. *Littler.*] That is if we lie down to be kicked he will not kick us. I am much obliged to him. I accept the Schedule of the Board of Trade in every respect, except these two. I do not see what advantage my company is to get from that suggestion of Mr. Whitehead's. I will tell your Grace very shortly what the point is.

Chairman.] Should not Mr. Whitehead come first?

Mr. *Littler.*] It is best that your Grace should hear the history of the canal, and then let my learned friend move the amendment. You see what the canal is, running from the centre of Staffordshire from the River Trent, and passing through a large number of places, and more especially passing through places so thickly populated and important, as Hanley, Stoke, Longton, Newcastle, Tunstall, and so on, the centre of the Potteries district, down to the River Mersey; in point of fact, being the Trent and Mersey water communication. It has been in existence nearly a century, and in the year 1846, the same thing happened as you heard of before with regard to the Sheffield Company's canals. When the North Staffordshire Railway was made, the North Staffordshire promoters had to purchase the canals in order to obtain their Act. The result has been that from that time there has been a loss upon the canals, and that loss averages 26,600*l.* a year. In addition to that the North Staffordshire Company have had to expend very large sums of money since; and no one will say that they have not thoroughly done their duty to the district and spent all the money necessary to keep up the canal. Amongst other things there is on the canal what is called the Harecastle tunnel; you see it by the word "Harecastle"; all the important traffic goes through that tunnel. It has cost no less than 177,000*l.* a mile. It is more than any railway in the kingdom has cost, with the sole exception of some of the Metropolitan Railways. One reason why it has cost so much has been this—and that has happened since the North Staffordshire Company has been in possession of it—that there is a very valuable bed of minerals under it; and for canals as well as for railways, unless minerals are expressly included in the deed of conveyance, they are excluded. When minerals began to be worked in the neighbourhood, we had to purchase the minerals under the canal, and that added largely to the expense.

The only other point is what is called the Red Bull Aqueduct. That aqueduct is on the piece of the canal which is on the large Ordnance sheet. You will see a little piece of canal just at the lower part on the left-hand side. There are two aqueducts with a piece of canal between them. The canal narrows at two places; those places are called the Red Bull Aqueduct. That again has been a very expensive piece of work to do; one portion alone cost over 20,000*l.*, and it is very expensive to keep up. There we expect to have to pay a large sum for minerals. With regard to the Harecastle Tunnel, we asked the Board of Trade for a minimum of six miles; but the Board of Trade reduced us to four miles. The Board of Trade Schedule in itself as it stands causes us a further loss of 6,000*l.* a year, but we have not seen our way to make any further resistance than to ask that we should have for the Red Bull Aqueduct the increased toll. We originally suggested by an oversight three miles for the Red Bull Aqueduct itself; but what we now propose and what we intended to propose for the whole piece of blue canal was to keep it three miles. The total length is a mile and one-fifth, and we propose to ask for a three-mile toll in respect of it; and it is with regard to that piece of the Harecastle Tunnel that my learned friend brings up amendments. If we had thought that we were going to be attacked I should have ventured to say that we ought to have six miles for the Harecastle Tunnel, as originally proposed, because it has cost far more than six times the cost of any other canal in the Kingdom; but we do not ask any more than the Board of Trade propose to give us.

Mr. *Whitehead.*] Your Grace, the question here is, so far as argument is concerned, a very small one indeed. Mr. Littler has explained to the Committee that "it affects all the important traffic." Those are his words, that all the traffic goes through the tunnel. Therefore in point of volume as regards toll, and so far as the expense to the traders is concerned, it becomes a very material question. My learned friend told the Committee that when they were before the Board of Trade they asked power to charge as for six miles. The tunnel itself, or rather the tunnels, because there are two of them, being 2,800 yards long, a little more than a mile and a-half. Originally they proposed to charge four times the amount which they would be authorised to charge under the Schedule if such a clause were not inserted in the Bill at all. When they were challenged to justify such a charge, and to point to any power in their old Act they were silent; because when the original company came for power to make this canal and to make this tunnel they did not ask in respect of the traffic

traffic passing along that tunnel that there should be any extra power of charge. It is an entirely new power that Parliament is asked to confer upon the company. Now when you come to revise the tolls, two tunnels have been made there, and on each occasion the canal company have been content that all traffic passing through the tunnels should be treated on the same footing as the rest of the traffic upon the canal. In fact, until this application was made to the Board of Trade last year, the original canal company and the railway company have been content to accept that principle which my learned friend Mr. Pope suggested to the Committee the other day, that you should not have traders in one part treated on a different footing to traders on another part; but that all these tolls, and all these different charging powers, should come in and be welted down, and that there should be a new scale for the whole canal. Mr. Pope explained that carefully to the Committee as being the principle of legislation; and what we say is even had the old Acts of Parliament given a power when those two tunnels were made, that power ought to come in and be welted down, so that you might have a uniform scale upon the whole system. But in this case we can put it much higher than that, because in the original Acts there was no such power at all. Why should the Committee when dealing merely with the question of revision confer an absolutely new power, and give a new method of charge to the company?

Mr. *Littler.*] It is right that I should mention to the Committee that, with the bonus mileage, the total that my learned friend's clients would pay would be some considerable amount less than they pay under the whole scale.

Mr. *Whitehead.*] As I have explained, we are quite content to leave the thing as settled by the Board of Trade. I ask the Committee to remember this, that the Board of Trade have settled the Schedule, taking it as a whole. They have given a power to charge as for four miles in respect of the tunnel; but, at the same time, they have given no power with regard to the Red Bull Aqueduct; I am content to accept it on that basis, because the two things would balance one another; but if the company are going to ask for an additional charge upon the Red Bull Aqueduct, and for this extra power upon the Harecastle Tunnel, then I say it raises this question of principle to such an extent that I am bound to oppose their application.

Chairman.] What I understand is that four miles is proposed to be charged for the Harecastle Tunnel?

Mr. *Whitehead.*] Yes.

Chairman.] You mix that up with the Red Bull Aqueduct?

Mr. *Whitehead.*] My learned friend was mixing it up with the question of tolls. He said if you begin to consider the question of distance you must bring in the quantum of tolls in order to calculate what the effect is. I say, if you bring in any other consideration from some other part of the Schedule you must consider also that question of the Red Bull Aqueduct. The Board of Trade have settled the Schedule as a whole. If the Bill is accepted as a whole, I am content, and I do not raise any further objection; but if it is to be altered at all, if this scheme of tolls and distances which has been settled by the Board of Trade is to be altered at all, I claim to be heard. These two questions hang, as it were, together, and you ought not to give this power of charge on the Harecastle Tunnel if afterwards you are going to give the power to charge for the Red Bull Aqueduct; the two things hang together, because mixed up with the question of distance you have the question of toll. The tolls have been altered (that is incidental to any new scheme of classification) in every canal Schedule which has been before the Committee. You find in respect of articles, for instance, heavy articles in Classes A. and B., there is in every case a slight diminution of the charging power so far as the toll column is concerned, that is incidental to any revision. My learned friend endeavours to drag in that point which is incidental to revision in order to prevent us securing the existing rates as regards distance under which we have our traffic carried.

Mr. *Littler.*] I think you understand that my learned friend is only appearing for one trader, Messrs. Brunner, Mond, and Company, an undertaking that pays 100 per cent. direct profit to its shareholders.

Chairman (to Mr. *Whitehead*).] You are willing to accept the Board of Trade proposals as regards Harecastle Tunnel?

Mr. *Whitehead.*] Taking the thing as a whole.

Chairman.] As it is in the Bill, if the amendment proposed by the North Staffordshire Company is not pressed?

Mr. *Whitehead.*] Yes; that is what I offered my learned friend at the beginning.

Sir *Richard Paget.*] We must settle one thing at a time.

Mr. *Whitehead.*] Yes, I am not asking the Committee not to deal with one thing at a time; but my learned friend raised this question of tolls which is bringing in another part of the Schedule; and I claim in answer to that to point out to you that under this latter part of the Schedule you again have the same kind of question raised, and in dealing with one you must keep in view the effect of the other; but we are now only dealing with this one point of the Harecastle Tunnel. Then my learned friend Mr. Littler has has given me an indication of the line he proposes to follow in another direction. He says I only represent one trader. If I bring before the Committee a large number of traders, each of whom is interested in some small degree, each of whom carries 1,000 or 2,000 tons, my learned friend says it only makes 1*l.* or 2*l.* difference to you. That is his argument, but there is nothing in that. If I bring a trader whose traffic represents 10,000 tons, he says, This is only one trader.

Chairman.] We need not go into that; it is a fact that you represent one trader?

Mr. *Whitehead.*] Yes.

Chairman.] And your whole traffic is only 25,000 tons?

Mr. *Whitehead.*] Though I only represent one trader I represent a very important traffic.

Chairman.] You represent one trader whose trade is 25,000 tons; that is enough.

Mr. *Whitehead.*] Therefore my interest is a very substantial interest, and they would be able to charge upon this distance of a little more than a mile and a-half as for four miles. Upon Class A. traffic for every ton that passes that represents an extra charge of very nearly 2*d*, about 1½*d*. That being so, upon 25,000 it is a very important matter, and that traffic is typical. It is true that other traders are not here at this moment; but, as my learned friend has said, all the important traffic goes through this tunnel. The particular trader for whom I am arguing at this moment may only be concerned in 25,000 tons out of a million or so along the canal, but I say this is an important question which affects all the important traffic of the canal. What we say is this: that when the company come here for revision, they ought not to ask Parliament for new powers. This is a power which was not conferred when the tunnel was made, and this is not the proper time to ask for it even if it were in itself reasonable; but, so far as concerns our traffic, it will impose an extra charge of a considerable amount, and we ask the Committee to strike out this section from the Board of Trade Schedule.

Mr. *Littler.*] I do not know whether you would like to hear Mr. Phillips' evidence upon this?

Chairman.] I think we must have some evidence.

MR. WILLIAM DOUGLAS PHILLIPS, is called in; and, having been sworn, is Examined as follows:

Mr. *Littler.*

1719. YOU are general manager of the North Staffordshire Company?—I am.

1720. The mileage of your railways is 193 miles, the mileage of the canal being 119 miles?—Yes.

1721. But your railways are a network, and you have no through runs of anything like 190 miles?—No: our railways strike off from Stoke and diverge in various directions, the average mileage on which we carry traffic being something less than 15 miles.

1722. Your longest possible run is 56 miles?—Yes.

1723. Practically you only run 15 miles, but your longest possible run is 56 miles?—Yes.

1724. Along the canal a large quantity of traffic goes 96 miles?—That would be the throughout distance east to west.

1725. Is there a large traffic on the canal?—Not a very large traffic; but, speaking generally, the distance we carry, or the distance we have hitherto carried, the average distance, the traffic has passed on our canals in the past has been something like 22 miles, as against an average distance that it has passed over our railways of 15 miles.

1726. What do you carry on the canal as compared with what you carry on the railway?—We carry 1,100,000 tons on the canal as against 5,000,000 on the railway.

1727. Is it the fact that the last three years you have expended 20,000*l.* in merely maintaining and improving?—Yes, in the last 12 or 13 years the money spent in maintaining and improving the canal has been very considerable. We have deepened it and widened it, we have dealt with it in the most liberal possible manner. In 1891 we went to Parliament for a Bill to spend 400,000*l.* in improving the canal, and of that amount we have spent, within the last two years, over 20,000*l.* already.

1728. With regard to the cost of the Harecattle Tunnel, there are two tunnels, an up tunnel and a down one. Was the cost of those tunnels 354,000*l.*?—We are unable to say what

Mr. *Littler*—continued.

the old tunnel cost, but our engineer estimated that the old tunnel cost 50,000*l.*, the new tunnel cost 112,681*l.*, and we have spent 191,475*l.* in the purchase of minerals.

1729. In order to keep up the canal you have had to buy the minerals underneath, and it cost you 191,000*l.* to secure the minerals?—Yes.

1730. Are there yet further minerals to purchase?—Yes; we shall have to spend a little more in purchasing minerals.

1731. You do not ask for this double mileage as a bar toll, but merely to compensate for extra cost?—We ask it in the first place to compensate for the extra cost of the tunnels; in the second place, in a small degree, to compensate us for the very serious losses which the Board of Trade are inflicting upon us by reducing our tolls on some of the heaviest articles of traffic. There is a Table which shows that.

1732. The loss even in last year, when there was the coal strike, would have been 5,000*l.*?—Taking last year's figures, it would have been 5,000*l.*, that is to say, the loss on the articles mentioned in the Table, taking out some of the principal articles would have been over 5,000*l.*

1733. And in an ordinary year something like another 1,000*l.*?—At least 6,000*l.*

1734. With the reduced tolls, would Messrs. Brunner, Mond, and Company or any other trader have to pay as much as they do now for the traffic passing through?—The principal weight of traffic which we have had over our canal in the past has been limestone from Froghall. In respect of that, taking into account the bonus mileage through Harecastle Tunnel, Messrs. Brunner, Mond, and Company would be paying 2*d.* a ton less toll than they are paying at the present moment, I think it is 2¼*d.* exactly.

1735. Even with the bonus mileage?—Even with the bonus mileage.

1736. Theirs is a traffic which is likely to be able to bear it, judging from their returns?—

Brunner,

Mr. *Littler*—continued.

Brunner, Mond, and Company is a very flourishing concern.

1737. There is no other trader out of the whole of your district who is opposing this?—I understand not.

1738. The Staffordshire Chamber of Commerce have very carefully considered and examined your tolls?—Yes, and I think, upon the whole, they are satisfied.

Cross-examined by Mr. *Whitehead.*

1739. You said that the Staffordshire Chamber of Commerce are content with your proposals?—So I understand.

1740. Did not you come to an agreement with them that you would accept the Board of Trade Schedule as it stood?—When and where.

1741. I ask you whether you did not come to an agreement with the Staffordshire Chamber of Commerce to accept the Board of Trade Schedules?—Not that I am aware of.

1742. Did not you have any negotiations with them?—Plenty of negotiations.

Mr. *Littler.*] We expressly reserved the Red Bull Aqueduct question and they are not here to oppose.

Mr. *Whitehead.*

1743. In 1891 you say you came to Parliament and obtained powers to raise 400,000*l.*?——

1744. Did that refer in any way to the tunnel?—Yes, it did refer to the tunnel in this way; we were proposing to take the towing-path out of the tunnel so as to make it available for steam towage.

1745. Did you then ask Parliament for power to charge a bonus mileage upon the tunnel?—We did not; we were satisfied with the tolls we were getting.

1746. Could you give me the details of that traffic in limestone of Messrs. Brunner, Mond, and Company, which you referred to, from Froghall; you said, under the proposals now before the Committee, even if the bonus mileage were given to you in respect of the Harecastle Tunnel, Messrs. Brunner, Mond, and Company would be charged 2¼*d.* less per ton?—Certainly.

1747. Could you give the details?—The present distance is 29 miles at a halfpenny, from Froghall to Melkin's Bank, Messrs. Brunner, Mond, and Company's works.

1748. That comes to 1*s.* 2½*d.*?—That is so. The new distance would be 31¼ miles.

1749. That is to say with the bonus mileage?—With the bonus mileage; that is 10 miles at a halfpenny, 5*d.*; 10 miles at ·45*d.*, 4½*d.*; 10 miles at a farthing, 2½*d.*; 1 mile at ·15*d.*, ·15*d.* I make it come to something less than 1¼*d.* a ton.

Chairman.

1750. What do you say it is now?—One shilling and twopence halfpenny.

Mr. *Whitehead.*

1751. I think there is one thing you have not taken into consideration there; that is, the difference in weight; at present it is long weight?—Yes.

1752. In future it will be short weight?—Yes, there is a difference of 5 per cent.

Chairman.

1753. What difference would that make upon these figures?—A small fraction.

Mr. *Whitehead.*

1754. That reduces it to something between 1*d.* and 2*d.*, the difference between the present and the old charge?—I daresay you may fairly take it that there would be a reduction of 2*d.* a ton.

1755. Not quite 2*d.*?—It is a very close imitation of 2*d.* I would be disposed to put it at 2*d.*

1756. Is not it the fact that at the present time you are charging up to your maximum power?—Certainly.

1757. Not only here but generally over the canal?—That is so.

The Committee deliberate.

Chairman.] The Committee have decided not to agree to the proposal of Mr. Whitehead to omit Section iii. Now we go to the amendment proposed by the North Staffordshire Railway Company with regard to the Red Bull Aqueduct.

Mr. *Littler.*] I will call Mr. Phillips. I will not say any more upon it.

MR. WILLIAM DOUGLAS PHILLIPS, called again; and Examined.

Mr. *Littler.*

1758. HAVE the tolls on the Macclesfield branch always been higher than on the rest of the canal?—They have.

1759. Are these the tolls now? For every ton of sand, gravel, and so on, bricks, clay, coal for burning lime, limestone and rubble, 1*d.* a mile?—Yes.

1760. For ashlar stone, slate, slag, spar, coal, except for burning lime, and other minerals, 1½*d.*?—That is so.

1761. For timber, lime, goods, wares, and other merchandise, 2*d.*?—Yes.

1762. The canal from where it joins the

Mr. *Littler*—continued.

Macclesfield Canal of the Manchester, Sheffield, and Lincolnshire Company, passes first through a heavy cutting?—Yes.

1763. Then it crosses a valley on an embankment between 40 and 50 feet high?—Yes.

1764. There is an aqueduct at each end to carry it over a turnpike road, and over the lower section of the canal?—That is so.

1765. Has the canal been very expensive to maintain?—The western end of it has been very expensive to maintain for several years past in consequence of the coal workings under it.

1766. Is it the fact that the workings of the Harecastle

Mr. *Littler*—continued.

Harecastle Colliery Company are almost pulling it down?—They have pulled it down several feet.

1767. And, I think, two out of the five bridges carrying roads over it have already had to be rebuilt?—That is so.

1768. Has it become necessary now to purchase the minerals both under the aqueduct and under the high embankment?—The workings of the colliery company are approaching so closely that in the immediate future we shall have to purchase the minerals.

1769. One landowner has made a demand of 14,000*l.*, has he not?—Yes.

1770. For something like half a mile?—About one-third of a mile.

1771. As far as you know it was in consequence of the heavy works that a higher toll was originally authorised for this canal?—I should think it is probable; it was before my time.

1772. The Macclesfield Branch has not as heavy traffic by any means as your main line?—No; it is very light indeed.

1773. You submit to the Committee that it is fair that you should have consideration for the heavy cost of this canal with its light traffic?—Yes.

1774. What you propose would simply leave the trader where he is; you would not increase his burden?—As far as the lowest classes are concerned his burden would not be increased. So far as the higher classes are concerned, it would be a reduction to him.

1775. The loss you sustain by having your scale on this branch, which was formerly a different one, reduced to the same level as your main line?—That is so.

1776. The whole object of asking this increase is in order to maintain the canal?—Yes.

1777. It is in no sense a bar toll to prevent traffic going to the Manchester, Sheffield, and Lincolnshire?—Certainly not; or the Manchester, Sheffield, and Lincolnshire Company would have been here to say something, you may depend on it.

Cross-examined by Mr. *Whitehead.*

1778. A few questions on behalf of Messrs. Brunner, Mond, and Company, and also for the Staffordshire Chamber of Commerce. When was this aqueduct constructed?—In 1828.

1779. About the same time as the water lock?—It was constructed under the powers of the same Act of Parliament.

1780. You stated at the inquiry before the Board of Trade that the water lock cost about 13,000*l.*?—Yes.

1781. Is not it the fact that this Act which authorised those two works to be constructed empowered the company to raise 20,000*l.* for the purpose?—I cannot tell you that.

1782. If so, and the water lock cost 13,000*l.*, it is reasonable to suppose that the rest was to be spent on this aqueduct and the works in connection with it?—I should prefer to say it is reasonable to suppose that there was a very great blunder in the estimate. The contract for making this branch was 16,900*l.*, and that was for

Mr. *Whitehead*—continued.

labour only, and did not include land or materials.

Chairman.

1783. What is the water lock?—It has nothing to do with this case.

Mr. *Whitehead.*

1784. I was trying to get at the cost of the aqueduct and I had to ask him a question about the other matter. (To the *Witness.*) The charges upon this branch will affect all traffic passing from Macclesfield on to the Trent and Mersey, and all traffic passing from the Trent and Mersey to Macclesfield?—Certainly.

1785. What is the volume of that traffic today?—80,000 tons a year.

1786. What was it in 1828?—I do not know.

1787. When did the company take over the canal?—In 1847.

1788. What was the traffic upon this branch then?—I cannot tell you.

1789. May I take the 80,000 tons as being a typical quantity?—I cannot give you the least idea of what the amount was 20 years before I was born.

1790. At all events at the present time you are charging your maximum?—Yes.

1791. And you have done so ever since the canal came into your possession?—Yes.

1792. Was the maximum charged before that time?—I think it was, certainly.

1793. Of course under the revision, supposing this amendment of yours is not carried, all traffic upon this branch will become subject to the new toll (taking Class A.) of ·50 and so on?—Yes.

1794. What you are endeavouring to do by practically doubling the distance in respect of the aqueduct is to preserve your existing power of charging 1*d.*?—That is so.

1795. So far as this branch is concerned to avoid the revision?—To avoid the revision; to avoid a loss.

Re-examined by Mr. *Littler.*

1796. All you do is to keep up your tolls as they are on the lowest class, there being a certain reduction on the higher class?—Yes.

1797. With regard to the cost of the canal, I understand the company themselves carried out the works; they purchased the land and provided the materials and got the work done by a contractor?—That is so.

1798. In consequence probably of the importance of the work?—Undoubtedly.

1799. It was an anxious work to be done, and therefore they desired to have it under their own control?—Yes.

1800. That points to the costliness and the troublesome nature of the country?—Yes.

1801. Has there been any material increase or decrease in the traffic?—No.

1802. Not since you had anything to do with the canal?—No: there has been no change; there has been an increase rather than anything else.

1803. Is there anything in the nature of the country to make it probable that there ever was much more than now?—I should think not.

1804. What

Mr. *Spicer.*

1804. What is the proportion between the higher and the lower classes of traffic?—Taking six months, 16,000 tons at 1*d.*, 16,000 ton in the next class at 1½*d.*, and 10,000 tons in the higher class.

Mr. *Young.*

1805. Is that on this branch?—Yes.

Mr. *Spicer.*

1806. About one-third only would have any reduction?—Two-thirds would have a reduction.

1807. You said the higher class of traffic would have a reduction?—That is so.

1808. Then one-third would get the benefit and two thirds would not?—It is the other way about; 16,000 tons at 1*d.*, that is the class that will remain as at present; then the intermediate class of 1½*d.* gets a small reduction, and the third gets a considerable reduction.

1809. You call the 10,000 the higher class?—Yes.

1810. The 16,000 at 1½*d.* gets a small reduction?—Yes.

Mr. *Spicer.*

1811. But not much?—Yes.

Mr. *Littler.*

1812. There are three classes?—Yes.

Mr. *Pelham.*

1813. (Through the *Committee.*) How much of that traffic that goes over this branch would go through the Harecastle Tunnel?—Very little indeed.

Mr. *Young.*

1814. One-fourth?—Nothing approaching to one-fourth.

Mr. *Whitehead.*] I have two witnesses I propose to call for the North Staffordshire Chamber of Commerce.

Mr. *Littler.*] I think I shall have to ask your Grace to allow me to call the gentleman who conducted the negociation between ourselves and the North Staffordshire Chamber of Commerce, to show that there has been a misapprehension.

MR. JAMES WARD BURCHELL, is called in; and, having been sworn, is Examined, as follows:—

Mr. *Littler.*

1815. YOU are solicitor to the North Staffordshire Railway Company, are you not?—Yes.

1816. And have been during the whole of the negotiations?—Yes.

1817. Is it a misapprehension to suggest that there was any bargain made that we should not raise this question?—It is a complete misapprehension. When we met the traders before Mr. Pelham we discussed several matters of the rates, especially about Potters' raw materials, and agreed, subject to Mr. Pelham's sanction, that the clause in the Order should stand as for Potters' raw materials. At the close Mr. Pelham said: "If that is agreed to shall we hear no more upon any other subject." The Chamber of Commerce said they were satisfied, but I said there are one or two matters, such as the lock and the Red Bull Aqueduct, which you will probably hear of again.

1818. Is the Chamber of Commerce seriously interested in this particular traffic?—No.

Cross-examined by Mr. *Whitehead.*

1819. Of course, we accept, without any question, what you have said with regard to any actual conclusion of any agreement; but have you any reason to believe that the North Staffordshire Chamber of Commerce are in favour, or are not opposed to this proposal of the company?—No.

1820. My learned friend suggested that they were content with it?

Mr. *Littler.*] No; I asked whether they had any particular interest in it. These particular people do not carry any traffic worth speaking of on the canal.

Mr. *Whitehead.*

1821. My learned friend stated this to the Committee in opening. You cannot support that statement?—I did not understand Mr. Littler.

The Witness is directed to withdraw.

MR. GEORGE HARDING, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

1822. YOU are now, and have been for 20 years, general manager to Messrs. Robert Heath and Son, Coal and Iron Masters, in North Staffordshire?—Yes.

1823. They have a very large traffic, I believe, upon the canal?—Yes.

1824. That firm are members of the North Staffordshire Chamber of Commerce?—Yes.

1825. And you are a member of the council of that body?—I am.

Mr. *Whitehead*—continued.

Chairman.] Does the Chairman of Commerce oppose?

Mr. *Whitehead.*

1826. Yes, I appear for them. (To the *Witness.*) Are you chairman of the Special Committee of the Chamber of Commerce having the question under consideration?—I am.

1827. Mr. Burchell says they are not interested in the question; what is your opinion upon the matter?—They are deeply interested in it.

Mr. *Whitehead*—continued.

1828. Will you explain how it is?—The Chamber of Commerce is composed of the larger portion of the traders of the district using the canal, and they cannot be otherwise than interested.

1829. And they have traffic going over the branch?—Yes.

1830. Does it come through the Harecastle Tunnel first?—A good deal does.

1831. Have they any trade from Macclesfield coming down?—Yes, I think they have, corn and other things will come that way.

Mr. *Littler.*

1832. Are you sure about that; I am told none comes?—

Mr. *Whitehead.*

1833. So far as your traffic is concerned, it goes the other way?—Yes, through the Harecastle Tunnel and over the Red Bull Aqueduct to Manchester.

1834. It will be subject, first, to the additional mileage in the Harecastle Tunnel, and then to further additional mileage upon the Macclesfield Canal, if the proposal of the company is adopted?—Yes.

1835. Are the Chamber of Commerce in favour of, or content with, the proposal of the company?—The Chamber of Commerce, when the North Staffordshire Company agreed with them as to the Board of Trade proposal, went so far as to agree to the proposal before this Committee, but since that date this amendment has come out rather to our astonishment, and we are very much opposed to it. Other matters were agreed to, and I was ready to give evidence for the Board of Trade proposals.

1836. There has been a misunderstanding, and your understanding of the arrangement was that you were content with the Board of Trade proposal, and that the company would accept it?—I was not present when it was made, and therefore I cannot say what passed at the meeting with the Board of Trade, except by the report that the Chamber of Commerce brought to us.

Mr. *Littler.*] As you were not present you cannot go into it.

Mr. *Whitehead.*] What was the report of the Chamber?

Mr. *Littler.*] We ought not to have a report from somebody else to the Chamber of Commerce.

Mr. *Whitehead.*

1837. There has been a misunderstanding about it?—Yes.

1838. Now you come to oppose the proposal of the company?—Yes, to oppose the amendment only.

1839. As regards the Red Bull Aqueduct?—Yes.

Chairman.

1840. Do you come upon the part of the Chamber of Commerce in consequence of any resolution passed by them?—Yes, I was instructed by the committee to do it, as there was a breach of faith.

Mr. *Whitehead.*

1841. The Chamber of Commerce have petitioned this House against alterations?—Yes, against alterations.

Cross-examined by Mr. *Littler.*

1842. There has been no meeting of the Chamber of Commerce, has there, to adopt this?—Only of the committee.

1843. How much traffic does your firm send to the Macclesfield Canal?—I have not gone into the particulars of the traffic, and I should not venture to say I cannot give the figures.

1844. May I suggest one to you, a single 0?—That is not correct.

1845. I put it seriously on instructions; do you send an ounce on the canal?—Yes, certainly; if you put it in that way, unquestionably.

1846. To what traders on the canal do you send? It is suggested to me that you are under a misapprehension; you do not know all the details of the trade; can you suggest a single trader upon the Macclesfield Canal with whom you deal?—I have sent hundreds of boats to Manchester to different customers at different times.

1847. They do not go over it at all; the traffic that you speak of does not go over this canal?—It goes through the Harecastle Tunnel and then over the Red Bull Aqueduct to get to Manchester.

1848. No, it does not; it goes by the Bridgwater Canal?—Indeed it does not go by the Bridgwater Canal.

1849. Have you ever gone with a lot of boats?—No, I have not.

1850. If it turns out that your traffic does not go over that canal, you do not say anything about it, do you?—I do.

1851. Why?—Representing the Chamber of Commerce if my traffic does not go other people's will, and if the Manchester Ship Canal opens up a port, we in the future may use it much more largely than we do at present.

1852. Would you be surprised to find that the whole of the important traffic represented by your Chamber of Commerce is like your traffic, destined to Manchester not using the canal?—You say so, but I have yet to learn it.

1853. If that is so, it makes a good deal of difference, does it not?—I say it is not so.

1854. If that is so, it does not matter much to the Chamber of Commerce?—If you do not use the canal, and do not want it, it does not affect you.

1855. Has this canal been an expensive one to make; have you ever seen it?—Yes.

1856. You doubt it being expensive to make?—I do not think that it has been expensive to make.

1857. Have you heard what has been suggested?—I heard the statement.

1858. And you do not believe it?—No.

1859. If you do us the honour to disbelieve our own figures, I will not ask you any further question?——

Chairman.

1860. You do not believe that the canal cost as

Chairman—continued.

as much as we have been told it has cost?—I do not think it has, I do not think it is an expensive piece of work, and it is not expensive to maintain.

1861. Have you ever been along the canal to inspect it?—No, but I have been under the aqueduct hundreds of times and seen the approaches both ways.

1862. You are of opinion that it is not correct to say that it cost to make so many hundred thousand pounds?—I do not think it ought to cost that.

1863. You told us that it did not cost that, do you still think it did not?—Yes.

1864. It is not what it ought to cost, but whether it did cost that amount?—I am of opinion that it did not cost that, I do not know what it cost actually.

1865. Have you gone into the question at all?—No.

Mr. *Littler.*] Would you kindly look at this document, here is a contract for labour alone for this canal.

Chairman.] This gentleman has not gone into it.

Littler.] Here is the actual cost for labour, only 16,900*l.*

Chairman.] Your witnesses stated what it cost exactly, therefore we must take that what he stated it as the fact.

The Witness is directed to withdraw.

Chairman.] The last witness says all his traffic goes along the canal, and Mr. Littler suggests that none of it goes.

Mr. *Whitehead.*] My learned friend may be able to give you information upon that.

Mr. *Littler.*] I will recall Mr. Phillips, and the Committee can ask him what they wish.

MR. JOSEPH PHILLIPS is re-called; and further Examined, as follows:

Chairman.

1866. You heard the evidence of the last witness?—I did.

1867. He stated that the traffic from his works goes over this canal; what do you say to that?—I should be very sorry to say that he has never sent a boat to Manchester by that route, but he is under a complete misapprehension in thinking that it is the usual route for the traffic, or the route by which it is sent more than very occasionally.

1868. How do you form that opinion?—From considerable experience of the way in which traffic is worked in that district.

1869. Do you have any hand in the working of it?—Personally I do not.

Sir *William Houldsworth.*

1870. Which way does it go?—To Preston Brook, and it gets on to the Bridgewater Canal, the difficulty being that when you get to Manchester by the Manchester Canals you have to pass over two or three other short lengths of canals, making it exceedingly expensive to work.

1871. The other route is by Macclesfield, is it not?—Yes.

Cross-examined by Mr. *Whitehead.*

1872. As regards the traffic of Messrs. Heath and Son you and Mr. Harding differ?—Yes.

1873. You have told the Committee that whose ever traffic it is 80,000 tons goes over that branch at the present time?—Yes.

1874. Is it not the fact that 18,000 or 19,000 tons of the 80,000 tons is Messrs. Brunner, Mond, and Company's traffic?—I should put it rather higher.

1875. Call it 20,000 tons?—Yes.

Mr. *Young.*

1876. Is this, upon the whole, profitable to the company?—Upon the canal we have lost 26,600*l.* a year for the last five years.

1877. In connection with the railways, is it not profitable to you, as a whole?—I should be very sorry to say it was. If it were in the hands of anybody else the railway would shut the canal up.

Mr. *Young*—continued.

1878. Why was it purchased by the railway company?—As a matter of fact, the railway company was promoted by the canal directors, who at that time were the principal manufacturers and men in the Potteries; they saw that the days of canals were numbered when railways were introduced, and rather than be left with a very dead canal on their hands the merchants with them promoted the railway, and sold the canal to themselves.

1879. To avoid competition?—No; in order to prevent themselves, as owners of the canal, being left with a dead horse upon their hands; they promoted the railway, and sold the canal to themselves. That may be taken to be roughly the history of what took place.

Re-examined by Mr. *Littler.*

1880. The 26,600*l.* does not include any interest for the quarter of a million that you have spent since?—It includes no interest whatever upon the 247,000*l.* odd which we have spent upon it.

1881. The interest upon that is sunk?—Yes.

1882. As to the Macclesfield Canal traffic, or rather the route by the Macclesfield Canal, it is not one that could be profitably worked in consequence of the number of short-distance charges?—I should be very sorry to say anything about that which will come on within the next few days, but it will be found to be a difficulty.

1883. Though you do not personally look after the tons of goods going, they go under your superintendence as chief manager?—I know a good deal about it.

1884. You are clear that the proper way that people would consign traffic is by way of the Bridgwater?—I have not the least doubt of it.

1885. How

Mr. *Young.*

1885. How much money would this amendment give to your company?—Something like 300*l.* a year, and nothing more.

Lord *Herries.*

1886. What is the dividend of your railway company?—Four and a-half per cent., I think.

Lord *Clifford of Chudleigh.*

1887. The route to Manchester by the Bridgwater Canal is considerably longer than the route by the Macclesfield Canal, is it not?—It is longer.

1888. It is only the question of the different tolls on the various spaces of small lines which makes it a more acceptable route than the other?—Not entirely so. The Bridgwater Canal is a very open canal to go on; you have 13 miles without a single lock upon it.

Lord *Clifford of Chudleigh*—continued.

1889. Would any revision of the present rates upon the Macclesfield Canal make it a superior route to the Bridgwater?—No; physically it is an impossibility.

1890. You do not think that anything that may be done at the present inquiry would alter it?—If you were to make it all toll free it would have very little effect.

Mr. *Spicer.*

1891. You said that 80,000 tons went over the Macclesfield portion, and in giving the account of the lower traffic and the higher traffic you gave us the amount of 40,000 tons?—That is for six months.

The Witness is directed to withdraw.

MR. LIONEL WELLS, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

1892. YOU are a civil engineer at Manchester?—Yes.

1893. You have had considerable experience in canals, have you not?—Yes.

1894. You have been, I believe, engineer for the Weaver Navigation?—I was for 11 years.

1895. I believe before that time you were engineer to the Aire and Calder Navigation?—I was there afterwards for a short time.

1896. You have had considerable experience of canals, and of the cost of making canals, and so on?—Yes.

1897. Have you seen the Macclesfield branch of the Trent and Mersey Canal and inspected it?—Yes.

1898. I do not want to take you into details, but what do you consider would be the cost of it; would it be an expensive matter to construct?—More expensive than the ordinary run of canals. After hearing what Mr. Phillips said about the cost of labour I should add another 6,000*l.*, that would cover the whole cost; that would be 22,900*l.* for a mile and a-half of canal.

1899. How does that compare with the cost of constructing a mile and a-half of ordinary canal?—On the average the Trent and Mersey cost 11,000*l.* a mile; between 11,000*l.* and 12,000*l.*

1900. For a mile and a-half that would be 16,500*l.*?—Yes. This mile and a-half cost about as much as two miles of ordinary canal.

1901. In your opinion the difference of cost would be between 23,000*l.* and 16,500*l.*?—Yes.

1902. That is 6,500*l* of additional cost?—Yes.

Chairman.] Are all the circumstances the same when you compare the two things?

Mr. *Whitehead.*] He has considered the expense of constructing an ordinary mile of canal belonging to the Trent and Mersey; he has also considered the expense of constructing this particular piece of canal, and he says the cost of this particular canal, after hearing what the cost of labour was, in his opinion would have been about 23,000*l.*, that is, for a mile and a half. A mile and a half on the other part of the system would

Mr. *Whitehead*—continued.

cost about 16,500*l.*; and he says the difference between the two sums represents the additional cost incurred by the company in respect of this branch, and that the additional cost is 6,500*l.*

Chairman.] What does he put the cost of labour at?

Witness.] I took the cost of labour from the canal company; 16,900*l.*, they stated was the amount they paid for the labour.

1903. What ought it to cost?—Adding the material, the bricks for the bridges and aqueducts——

1904. What is the cost of labour?—I accept their statement as to the cost of labour.

1905. Taking it out in pounds, you admit that that was the cost of labour?—Yes.

Mr. *Whitehead.*] That is all I wish to ask the witness.

Chairman.] He agrees as to the cost of labour.

Mr. *Whitehead.*] Yes. I wanted from him what the additional cost in respect of this branch was; it is on the additional cost that the company ask for increased tolls.

Chairman.] That you have not got from him.

Mr. *Whitehead.*] Yes; 6,500*l.* he says.

Chairman.

1906. (To the *Witness.*) How do you make that up?—The cost of bricks, and mortar and stone and other material employed in building the bridges and aqueducts, and the cost of land.

1907. How many thousand bricks?—I reckon about 3,000 cubic yards of brickwork; that would take 1,100,000 bricks.

1908. What do you put the bricks at per thousand?—About 25*s.* per 1,000.

Mr. *Whitehead.*

1909. This branch is partly in cutting and partly on an embankment?—Yes.

1910. What is taken out of the cutting is used in forming the embankment?—Yes.

Cross-examined by Mr. *Littler.*

1911. Did I hear you say that you had estimated the brickwork at 1,100,000 bricks?—Yes.

1912. If you were told that the actual result is 3,000,000 it would shock you, would it not?—I should be surprised to hear it. I do not see where they can be put.

1913. Have you measured it up from end to end and gone into the details and worked it out?—It would be impossible to do that without pulling the canal to pieces.

1914. We who know how it was made and what has been paid for materials are more likely to be accurate. You cannot tell what is in any one of the structures?—No.

1915. Then I will leave it to those who do know. What do you say about the mining rights?—I know nothing of the mining rights.

1916. That is a very serious item?—They have not been bought.

1917. The purchase of mining rights is a very serious item, is it not?—I know nothing of it; I am no authority on mining rights. I was told casually in the neighbourhood that there was no fear of the aqueduct suffering, and I should think the canal company are of the same opinion. They have an overflow from their canal on this embankment, close to the Red Bull Aqueduct; and if anything happened to it it would bring disaster upon that length of the canal. If they were under any apprehension of a collapse the first thing they would do would be to remove the overflow.

1918. Are you aware that two bridges have been actually rebuilt out of five by reason of subsidence?—I am aware that one was rebuilt.

1919. Did you hear Mr. Phillips say that two had been rebuilt?—No.

1920. There again you are 50 per cent. out?—No, 20 per cent.

1921. Did I rightly understand you to say that you got at it by averaging the whole of our canal?—Yes, including the Harecastle Tunnel.

1922. Then if you excluded the Harecastle Tunnel, the average cost per mile would be considerably lower?—Yes.

1923. Why not exclude the Harecastle Tunnel?—Because I take the 113 miles of canal. I have taken it as 120, because no doubt a portion has been paid for and has been abandoned.

1924. Tell me why, if you want the average cost of an ordinary mile of canal, you should include the mile and a-half which has cost more than, say, one third of a million?—You must take the rough with the smooth. You have 16 miles at the eastern end without a lock.

1925. That is the average cost of that canal, but it is not the average cost of an average mile of canal, is it?—It depends upon the canal.

The Witness is directed to withdraw.

Mr. *Whitehead.*] The Committee have heard that this aqueduct is about a mile and-a-half long. The works of the aqueduct and two bridges, and the works in connection with that are altogether a mile and-a-half long. The company ask power to charge up to three miles; that is to say in respect of Class A. traffic in effect they ask to be allowed to charge a 1*d.* per ton per mile. This affects, as you heard from the witnesses, all the traffic which passes up to the Macclesfield Canal, or comes from it. Mr. Phillips informed the Committee that that amounted to 80,000 tons of traffic in the year, and he also informed the Committee that the value in tolls of this amendment to them was about 300*l.* a year. What is their justification for asking this? It is simply and solely this: that at the present time, under the old Act of Parliament, they have got a special privilege in respect of this portion of the canal. Under their old Act they were entitled to charge 1*d.*, 1½*d.*, and 2*d.*, and they wished to preserve that right by doubling the distance and transferring the halfpenny charge on Class A. traffic into a penny charge. The fact is this, your Grace, that they can only base this on the ground of the additional cost of this branch; it is not anything that they can bring in to total cost, all that they can claim it upon is the additional cost. Mr. Wells gave to the Committee an estimate of the additional cost as about 6,500*l.* upon the whole of this branch. It may be that he has under-estimated it to a certain extent, but take is at 6,000*l.* or 10,000*l.*, throw in the extra bricks that Mr. Littler suggests to Mr. Wells have been used in the construction, take it at 10,000*l.* For 66 years the company have had this extra power to charge as Mr. Phillips told you; for all that time so far as he knows that, since 1847, when the company came into possession, they have increased the charge on the traffic, which to-day is 80,000 tons, and which in the past was probably considerably more. If that be so have not they been recouped already, if not twice, at least once, for that additional expenditure? For 66 years they have had the power to make the extra charge. Suppose, for the sake of argument, that that represents the 300*l.* a year which Mr. Phillips mentioned. For 66 years that comes to to about the 10,000*l.* that I mentioned, 6,500*l.* is the additional cost; but even if that is a low estimate, they have been recouped by having this excessively high power for a period of 66 years. That upon the merits of the proposal shows nothing. They have been recouped this expenditure, and they are not entitled to come before the Committee now to continue this charge for the future for an indefinite number of years in respect of the expenditure which has already come back into their pockets. But, your Grace, I appeal to the Committee upon the wider principle. Here you have special tolls imposed upon a special branch and affecting a certain small number of traders in relation to the total length of canal, that is to say, affecting a traffic of 80,000 tons out of 1,100,000 tons in the year. It is the principle of Parliament upon this revision to take in all these small tolls which may be larger here or smaller there, to treat them as a whole, to put all the traders upon the parts of the canal upon the same footing and not to create a prejudice or throw an undue burden upon one set of traders more than another. Your Grace and the Committee accepted that principle the other day. When you were dealing with the Great Northern Canal, so far as the exemptions were concerned, the traders had the benefit. The Committee did not allow them to retain the benefit; they said,

You shall come in with the rest of the traders and be treated upon the same footing. Here you have a company with a benefit upon a particular part of the canal; and what we say is that if it is fair to raise us on the other canals, it is fair to lower the company here. If the principle was sound then it is sound now. It is the principle which, at all events, the Committee accepted at the moment; and we say you will be following your own precedents and your own principle if you reject this amendment of the company and sweep away this old and excessive toll, and bring this part of the canal on to the same system as the rest. It is perfectly true, I must admit, that last Session when Parliament was dealing with the Leeds and Liverpool Canal, it gave a certain bonus mileage in respect of a particular portion of the canal. But when it was dealing with the Leeds and Liverpool Canal it preserved the exemptions; it did not sweep away the exemptions. They were so treated, generally speaking, that when they were below the tolls they had this additional toll put upon them in respect of this expensive construction. So when you come to the Grand Junction, upon the Grand Junction there was the Paddington Branch, and upon that Parliament gave to the company their higher power of charge. But there, again, you find the exemptions were preserved. When the traders had a benefit, it was preserved to them, and when they were subject to a certain extra toll it was preserved to the company.

Now your Grace, so far as this Session is concerned, you have rejected the contention of the traders upon the Great Northern that their special rates should be preserved. What I ask the Committee is to reject the proposal to preserve a specially high toll for a particular part of the canal, and bring this in as the Board of Trade have brought it in to the general system of the canal, and fix the toll for the whole canal upon that basis. That is the principle that the Board of Trade followed, and I ask the Committee to preserve the Schedule in this respect as fixed by the Board of Trade.

Mr. *Littler.*] My learned friend's argument is that in the case of the Harecastle Tunnel we are not to have it, because it is new, and in the case of the Red Bull Viaduct we are not to have it because it is old. I cannot follow my learned friend as to the exemptions, because there were no exemptions here to be dealt with and none to abolish. There was this toll which was granted, and obviously granted, over the entire canal in consequence of its being a canal with a small traffic and an expensive one to deal with. I do not think Mr. Wells very much distinguished himself with his speculations in engineering, but take his own statement, which ought to have a considerable addition made to it, because he has made a blunder first of 3,000*l.* a mile with regard to the average cost of a mile; because if you take the 354,000*l.* off the 113 miles, it comes to 3,000*l.* a mile, which he puts as the usual cost of a mile of canal, but if you take his estimate of 10,000*l.* as the extra cost upon this part of the canal as compared with an average mile, what we should gain if you give us that which we ask for is 300*l.* a-year, or only 3 per cent. upon the additional 10,000*l.* But that excludes what Mr. Wells knows nothing about what we must spend for minerals under the canal; and it is distinctly stated by Mr. Phillips that one owner alone is asking 14,000*l.* It means another 120*l.* a-year which we shall have to expend before very long for that one part, and we know the canal is sinking. Mr. Wells admits one bridge, and we know two have been actually destroyed. I do not care about Mr. Wells' criticism about our sending water over, because we know our own business best. But there, your Grace, we have a complete justification for what we now propose. And, your Grace, my learned friend says: "Oh, you have had such large profits out of it in the past." He tried to raise the amount by the cross-examination of Mr. Phillips, and by trying to show a large traffic. Mr. Phillips has known it for the last 14 years, and there has only been 18,000 tons a-year, and therefore we have only got 3 per cent. upon the extra cost as estimated by Mr. Wells; upon his estimate we have never got more than 3 per cent. upon the extra outlay so far back, at all events, as anyone who is now interested in the concern can go. Why are we to be deprived of it? Not on account of any application by any trader upon the canal, not by any gentleman using the Macclesfield Canal, but by gentlemen who are under the impression that traffic goes in a direction that it does not go in. who are no more interested in work upon this canal than any one of your Grace's Committee, except Messrs. Brunner, Mond, and Company, and Messrs. Brunner, Mond tried to deprive the company of their miserable 3 per cent., in order to augment their magnificent 100 per cent. They are the only opponents, and under these circumstances I submit that it would be unreasonable to deprive us of that which is a small contribution towards the enormous outlay that we have been put to.

Mr. *Pelham.*] Yesterday I was under the impression when I had the interview with the company and with the representatives of the Staffordshire Chamber of Commerce, that the Schedule would be agreed to if the concessions were made, but I do not know that they are debarred from coming here. If the traders had not appeared perhaps it would have been necessary for me in their protection to have protested on behalf of the Board of Trade against any change in the Schedule. But the principal trader interested in the traffic is here, therefore the Committee have, I think, all the facts before them. It was my impression from the evidence given before me, and what I have heard to-day, that this particular aqueduct was certainly a particularly expensive part of the canal. And it is also to be observed in favour of the company that the traffic which goes over it goes on to another canal, and, therefore, they have not got the long-distance toll to make up for the expensive part of the canal. At the same time the Board of Trade have felt very much afraid of anything that is like a bar-toll, that is a high toll put on a junction in order to prevent traffic going off on to the other canals, which may be a shorter route, and in order to make it go further along the same canal. There was such a proposition made by the Board of Trade, as you have heard on the lock, which was a junction further down

down with the Shropshire Union, and I think there was very grave objection to that, because it was not a very expensive lock, and it was no doubt proposed as a bar-toll. I do not think that applies here with equal force; at the same time, it is very important to keep this route open as the shortest route to Manchester. It is perfectly true that the scale of tolls does impose a very heavy loss upon the company, and I think on the whole their demands have been fair. As regards the particular toll, I do not think it is very important except to Messrs. Brunner, Mond, and Company, who buy their stone from the Manchester, Sheffield, and Lincolnshire Railway Company, and carry it over the Macclesfield branch of that company, and then on to this canal, and then over the River Weaver. But I think all the facts are before the Committee, and it is not necessary for the Board of Trade to express any decided opinion as to whether is is a proper charge or not.

The Committee deliberate.

Chairman.] The Committee have decided not to insert the amendment.

Mr. *Moon.*] That concludes the case of the North Staffordshire Provisional Order.

Mr. *Pelham.*] Before you pass the Bill I wish to ask if the Committee would insert a clause of which notice has been given to all the companies, and which I mentioned in my opening remarks: "Nothing in this Schedule shall apply to pleasure-boats or affect the toll or charge, if any, which the company are authorised to charge or make in respect of such boats under the provisions of any Act of Parliament." It seems to me that there was some doubt as to whether the pleasure-boats were included. I believe there is no objection to that; it will come in under the general section.

Chairman.] Is there any objection to it?

Mr. *Balfour Browne.*] No, none. There is no objection to that, but I have to make an application upon a matter which has been dealt with differently to what the remainder of the Great Northern Canals were. This is a matter that we have agreed to mention to your Lordships with the consent of the Board of Trade. The question is only one of wording, it is not in this part of the Bill at all. The exemption would be upon page 8 of Bill No. 1. You remember we asked for certain exemptions to be repealed. The Committee agreed that certain exemptions should be repealed; but it has been suggested to us that the words are not proper and apt, and therefore we propose this now, with your Grace's consent; it is the absence of a single word making it doubtful what is repealed; and, with the consent of the Board of Trade, we propose to say what the effect of the Committee's decision was, and the words I propose are, "Except as is otherwise provided by this Schedule, all exemptions from tolls for any merchandise conveyed on the canal, provided by any Act of Parliament, shall cease to be in force." That has been agreed to as the proper way of carrying out your Grace's decision; but, of course, we could not do it without the consent of the Committee. Mr. Pelham approves this form rather than the other, and therefore we ask the Committee to consent to it.

Chairman.] It is in order that the old powers should not be revived behind this clause?

Mr. *Balfour Browne.*] Yes. This would be a general clause, and come in upon the page I have just mentioned, amongst the general provisions.

Mr. *Pelham.*] It was argued by Mr. Balfour Browne that the Act of 1848 did not preserve the exemptions; but it might be argued that the mere fact that it did not preserve the exemptions did not necessarily repeal the exemptions; and therefore, I think, some such clause is wanted and should be put in every Bill. Wherever you do save them that clause does not apply.

Chairman.] We accept that.

Mr. *Pelham.*] I ask your Grace not to report this Bill, as there is a clause about traffic passing from the River Trent on to the Great Northern Canal, which was to be agreed upon if you will defer reporting the Bill till then. I understand the Committee have passed the general clauses of the Bill.

Chairman.] Yes.

Mr. *Pelham.*] They have not been read over one by one, but they have been passed.

Chairman.] Yes.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2).

(Bridgewater, &c., Canals.)

Mr. *Pelham.*] The first canal which has to be dealt with is the Bridgewater Canals Undertaking of the Manchester Ship Canal Company. The special clauses commence at the bottom of page 9.

Mr. *Pember.*] I appear for the Manchester Ship Canal Company as owners of the Bridgewater Canals. If your Grace will permit me to say a word or two in opening the case, I shall not be very long; but I desire just to show what the particular circumstances of the Bridgewater Canal are, and how the company think they bear upon the proposals in the Schedules generally. The Bridgewater Canal, as you know I daresay, runs from Runcorn, upon the Mersey, to Manchester, and has one or two small branches; but the main line is from Runcorn to Manchester, about 28½ miles long. The probable cost, so far as can be ascertained now, of the Bridgewater Canal was two and a-half millions of money;

but, coming to nearer times than those in which it was made, the Manchester Ship Canal Company gave for it, at the time the Canal Company's Bills were passing through Parliament, about 1,700,000*l.* It is a broad gauge canal, and will pass boats of a width of 14 ft. and some few inches. The average income of the canal for the last seven years has been 58,000*l.* a year. The original powers of charge were in the main not mileage charges; there were some one or two mileage charges, but in the main they were not by miles. I have them all here. To show that what I am saying is fairly accurate, I may mention that between Manchester and the River Mersey at Runcorn, and the various intermediate places, excepting those specified, there is a general toll of 2*s.* 6*d.* for any length; between Preston Brook and the River Mersey at Runcorn for certain classes of goods, lime and limestone, and other merchandise, there is a mileage toll of a halfpenny, in the case of lime and limestone, and a penny in the case of other merchandise. Then there is a provision that any empties passing over the River Mersey to Runcorn, and part of our canal, short of Preston Brook, is to be charged as for the whole distance. That gets rid of the toll as a mileage toll, and makes it a gross toll. Then for the Rochdale Canal and the River Irwell at Manchester *viâ* the Hulme Docks, there is a general power to charge 3*d.*; and, in fact, the old Mersey and Irwell navigation, of whom I do not suppose we shall have anything to say as it is practically destroyed by the Manchester Ship Canal, have a gross toll of 3*s.* 4*d.* And so on the Runcorn and Western Canal between Runcorn and the River Weaver there was a general toll of 6*d.* if you used the lock, and 4*d.* if you did not. I do not know whether anybody is here having a map of the Bridgewater Canal that they can hand in (*a map is handed in*). In my map the Bridgewater Canal is shown in red, and the Broad Ship Canal is shown in black. Then you see the main line starts at Runcorn, where the words "Bridgewater Docks" are, and passes away to a place called Waters Meeting, and then straight by Warrington Quay and Lymm, and so on to Manchester where it joins the Rochdale Canal. The principal branch is the line from Leigh-by-Worsley to the coal district and to Patricroft-by-Barton to another Waters Meeting, and then there is the bit from Preston Brook. At that point at Preston Brook it joins the Trent and Mersey. So that you may take it that the main line is about 28½ miles long, and the two branches from Preston Brook to the main line and Leigh to the main line add about 10 miles altogether, making the 28½ miles up to 38 or 39 miles. Although we had these maximum charges it is obvious that we scarcely ever got them. I believe as a fact that the charges were very much under the maximum, except in the case of that which went the whole length of the canal from Manchester to Runcorn, upon which we were in the habit of getting all through 2*s.* 6*d.* According to our poor judgment things might be let alone. I do not believe there was any discontent upon the part of the traders, but Parliament having adopted in so many cases the system of mileage rates as a typical system, it was felt necessary to send in a Schedule in a new form; we therefore have deposited a Schedule very much upon the lines, though not altogether, upon the lines of the Liverpool and Leeds Canal Schedule which was passed as you know by Lord Northbrook's Committee last year. I said not entirely, because we had got fairly to consider our income under all circumstances, and the chances we might have of repairing any loss brought about by the change in the system of tolls and freights.

Earl of *Lauderdale.*] What do the dotted lines in red represent?

Mr. *Pember.*] They represent the routes to the sea from the mouth of the canal at Runcorn along the estuary, and Birkenhead to the various docks at Liverpool. We do not, your Grace, adopt the Leeds and Liverpool Schedule in its entirety, because we have, of course, as we thought fairly enough, to consider our income and all the circumstances attending it, and the chances of repairing any loss that the change from our old scheme to the new scheme of tolls might bring about. We found, as a matter of fact, that if we adopted the Leeds and Liverpool scheme in its entirety, we should have lost no less than 7,817*l.* a year in tolls alone. I think I recollect that as toll-takers our toll receipts are half our total receipts; the rest of our receipts are as carriers; so that, probably, our 7,800*l.* a year loss on tolls would have been doubted if we had carried out the Leeds and Liverpool scheme in its entirety, which would have worked a loss of 25 per cent. If it amounted to 15,000*l.* or 16,000*l.* a year, it would have worked a clean loss of 25 per cent. upon the total 58,000*l.* We therefore proposed a modified scheme on the basis of the Leeds and Liverpool Schedule, by which we allowed ourselves, so to speak, a loss of 2,500*l.*, or something like it, upon tolls; and a total loss upon tolls and freight — that is, in our capacity as toll-takers and freight-receivers, taken together, of some 4,217*l.* That was conceding a loss of about 8 per cent. upon the 58,000*l.* The Board of Trade have so modified our proposals in the Schedules that they bring forward to you now, that our loss upon tolls alone will amount to 5,187*l.*, and on freight and tolls taken together, no less a sum than 9,600*l.*, which is equal to 15 per cent. on our 58,000*l.* a year. Now to us there seems no excuse for this; for whatever excuse there might be for inflicting such a loss upon other canals, does not exist in our case for this reason. Our canal trade is not capable of expansion, our canal is practically full; it is doing its maximum work. No doubt the witnesses will elaborate this fact a little more than I can do, or should do, by forestalling the evidence. But just as an illustration, I will mention that at one place we have two rows of locks, one far more commodious than the other. They are both very often congested, which is a pretty fair test of the relation that the traffic bears to the carrying capacity of the canal; but upon one or two occasions the smaller one has been out of repair, and the amount of crowding in for the most commodious one there is something like a test as to how near the canal, in the matter of traffic, has got to saturation point. Moreover, you will be told that the canal is

now

now worked to the full extent of its available water supply. If the water supply of the canal does bear that relation to its actual traffic, it stands to reason that you cannot hope to carry on anything like an extended traffic upon it. The third point is this, which is worth consideration, that our canal, though there is a certain amount of sinuosity shown upon the plan before you, is in the main a remarkably straight canal. Take the Leeds and Liverpool Canal as an illustration, a great deal of the route of the Leeds and Liverpool is very highly sinuous, so that it gets a certain decimal of a penny a ton a mile given it as between two points. I merely take the distance as arbitrary for the sake of illustration. Say, as the crow flies, they would be 20 miles apart, and as the railway would run in competition they would be 24 or 25 miles apart; as the canal runs they are 40 miles apart. In consequence of the sinuosities the canal company are recouped to some extent when the traffic is once under way, by the number of miles between the two points that it travels. We have no such consideration with us on account of the comparative straightness of our canal. It does so happen that the Leeds and Liverpool Canal Company are in this position, that there are several places upon their system where they have got for one reason or another under their Schedule a bouus mileage which helps them very much. We have no such place in the whole of our length. This seems to me to underlie the whole matter for your Grace's consideration. On the whole, our undertaking may be said to be, if not entirely, almost entirely, inelastic, and the ordinary idea of a set-off in increased traffic does not exist in our case.

It would not be right to go much into details as to the points upon which we are dissatisfied with the Schedule. A certain part of our traffic is in the lower classes, A., B., and C. In the first place, A. and B. are made one for the purpose of charge—they are each, so to speak, on the lowest level—and to show how the thing will work, merely as an illustration, apart from the general loss to us, take one special point of Schedule prices, that whenever an article is unclassified by the Schedule in default of the Board of Trade making a fresh and more extended classification, the article should go down into the lowest class. Now, one large class of articles that we carry are chemicals, and they are articles that are continually changing their name. Very slight differences are made in an article, ane in order to get a specialty for it, a slight change made by the inventing firm dignifies the article by a new name, and the article immediately becomes unclassified, and goes into the lower class, B. The temptation to gentlemen to slightly change the name of an article which would otherwise be in Class C., or one of the higher classes, for the purpose of letting it drop until a re-classification is brought about, would be more than the consciences of most inventors would enable them to resist That is a mere illustration. Another consideration is this, we think the unloading charges are made far too low; I will not go over the whole list, but will give an illustration of the class of complaint. The Board of Trade propose to allow us 3*d.* for unloading cargoes of timber; as a matter of fact, the actual cost to us of doing it is 9*d.* Then, again, with regard to light boats we are in a particularly unfortunate position, because we travel almost the whole length of our canal without coming across a lock. We have in one or two places a bunch of locks to get down from a certain level to our canal, or *vice versâ*; but, as a matter of fact, ours is a canal practically without locks. Now the power to charge upon a light boat is confined entirely to boats that pass through one or more locks. This is upon page 9, "Where merchandise is conveyed by a bye-trader in a boat which passes through one or more locks upon the canal, the company may charge a minimum toll of 5*s.* For an empty boat which passes through one or more locks on the canal the company may charge the sum of 5*s.*, provided that such empty boat is not returning after delivering cargo which has passed toll free, or in respect of which there has been paid to the company a toll of not less than 5*s.*, or is not on its way to load a cargo which is entitled to pass toll free, or in respect of which a like toll will become payable to the company." Now let me give an instance of how it will work; no doubt the witnesses will give many more. You heard in the last case, while I was sitting here, the fact that there is from a part of the world which was interested in the proceedings in the last case, a rival route to Manchester. On our part the Bridgewater Canal may be considered as a rival route to the Manchester Ship Canal. Now, as a matter of fact I am told, though you will correct me if I am wrong, that you have given the Manchester, Sheffield, and Lincolnshire Canal certain light boat dues. That is a rival route, and this might occur, that the traders for some reason might use their route for the purpose of carrying his cargo over it, but if we are not to be allowed to charge these light dues, he will prefer to come back by ours. As a matter of fact, a witness will show you from the map that he might absolutely go the whole length from one point of junction between the rival canal and ours to the other point of junction the whole distance, 24 miles, without passing through a single lock: and of course he would choose our route for the return journey, because if this light-boat clause was not modified, we should not have the power of charging him 6*d.*, whereas if he went back by the other route where there are locks he would fulfil the definition of a boat that had passed through a lock upon its return journey, and be sucjected to a toll of five shillings. Obviously if the circumstances led him to choose the other route for taking his cargo he would choose ours for coming back empty.

Then there is another point against which we rebel, that is the maintenance of the special exemption clause; it is surely obsolete. If our rights to charge are invaded on the one hand, surely liabilities of that kind may be over-hauled too. As a matter of fact I am instructed by those knowing the history of the canal that no consideration was given for those exemptions, they are principally confined to the carriage of manure and stone, and so on; and it is on record that the landowners got the fullest possible compensation for their land; and in spite of that, one or two of them after the canal came into

existence, were somewhat obstructive against its development.

Then there is another point which we hope you will consider in the light of the circumstances I put before you. We shall, under the Schedule, be able to make no charge in our docks. We think if there was nothing else in the case that on the analogy of railway docks, which are exempt from the operation of the Schedules, and in which they can make the dock charges, our docks should be excluded from the operation of our Schedule, and that we should charge either the sum fixed in the Schedule for your consideration or such reasonable sum as subject, perhaps, to a reference to the Board of Trade might be settled for the use of the docks. I may say they were constructed entirely apart from the canal itself by the Duke of Bridgewater on land of his own, and were as much apart as the docks of a railway company are apart from the undertaking.

Lastly, the only other point to which we object that I need bring before you now in the discussion of the details is this: we think that the power to charge for tugs is not sufficiently broad. We are allowed to charge for tugboats when they do not carry cargo. Parliament has considered that where a tugboat is making a special income in the exercise of its profession by tugging other boats, it should subscribe something to the undeniable damage done to the banks of the canal by steam haulage, as against horse haulage. Now, as a matter of fact, upon our canal, there is a habit of these tugboats, or steamboats, of carrying a cargo of their own, and at the same time to tug several other barges behind; and we cannot see why, simply because a tugboat is carrying cargo upon which it pays as a cargo-boat, it should not fulfil the analogy to all other tugboats and pay us something for the undeniable damage it does in the capacity of a toll-earning boat. The result would be that every tugboat would, in the long run be so constructed as to carry a certain amount of cargo and evade the clause. But if it be true that they are earning money as tugs, and that is the reason why the tugs pay by a parity of reasoning they ought to pay as tugs that do not carry cargo pay.

I have said all that I care to say at the present moment, and I will ask by way of recapitulation that when you come to discuss all these various points, including the raising of our rates and tolls in the lower classes to which our traffic is confined, you will be kind enough to bear in mind that the modifications which we made upon the Leeds and Liverpool model in the Schedule which we deposited were designed to modify, though not to make such a loss as the unelasticity, if I may coin a word, of our undertaking will absolutely prevent us from overtaking.

I ought to say this before I sit down, that even as it stands one or two of the opponents to our Schedule or the Schedule of the Board of Trade are not happy; for whereas our proposal would have made us content with a loss of 4,217*l.*, and the Board of Trade would have forced us to acquiesce in a loss of 9,583*l.*, one of the petitioners, I think it is the Mansion House Association, is kind enough to make a still further proposal by which our loss on tolls would be raised to 7,800*l.*, and on freight to 7,221*l.*, making a total loss of 15,000*l.*, in fact, it would be absolutely as bad as the old Leeds and Liverpool Schedule.

Mr. *Balfour Browne.*] The Mansion House repudiate that fearful thing.

Mr. *Pember.*] By any other name the poison will be as deleterious.

Mr. *Pelham.*] The company propose to take first the amended tolls.

Mr. *Balfour Browne.*] It is page 3 of the printed amendments.

MR. WILLIAM H. COLLIER, is called in; and having been sworn, is Examined, as follows:

Mr. *Balfour Browne.*

1926. YOU are general manager of the Bridgewater Canals which are now the property of the Manchester Ship Canal Company?—Yes.

1927. Just shortly describe the Bridgewater Canal. It is shown roughly upon the plan put in; what is its length?—Its length is in all 39¼ miles.

1928. That is made up of the main line between Runcorn and Manchester 28½ miles?—Yes.

1929. The Leigh branch is 10¾ miles?—That is so.

1930. And the Runcorn and Weston Canal is one mile and five-eighths in length?—Yes. The attention of the Committee has not been previously drawn to the Runcorn and Weston Canal; it is a short canal which connects the Bridgewater Canal at Runcorn with the Weaver Canal at Weston.

1931. It is shown in a very general way?—Yes, it will be useful to hand in plans showing it distinctly, the plans of the Runcorn Docks.

Mr. *Balfour Browne*—continued.

1932. Then there are portions of the Mersey and Irwell Navigation about eight miles all told?—That is so.

1933. As you say, one portion of the undertaking is the Runcorn Docks?—Yes.

1934. Now give us the plan of the Runcorn Docks; they consist of the old dock, a tidal dock, the Alfred Dock, the Princes' Dock, the Arnold Dock, and the old basin, a coal basin?—Yes, that is the whole series of docks; they are very clearly shown upon the plan handed in now.

1935. They are not part of your canal, but docks to all intents and purposes?—That is so; they are of quite a different nature from the canal.

1936. I believe they were made by the Duke of Bridgewater upon his own land and without statutory powers?—Yes.

1937. Besides that are you the owners of the Duke's Dock at Liverpool?—Yes; that is a dock of about 13 acres in extent, situated about midway along

Mr. *Balfour Browne*—continued.

along the river frontage of the Mersey Dock estate at Liverpool.

1938. We will come back to the Runcorn Docks presently? The canals are what have been called in this room broad gauge?—Yes; they pass boats of 14 feet 3 inches in width and a draught of 4 feet 4 inches.

1939. Is it the fact, as my learned friend Mr. Pember mentioned, that for the whole length of 39 miles the water is on one level?—That is so.

1940. The only place were the level is seriously altered is at the terminus at Runcorn?—Yes.

1941. That is altered by a flight of locks?—There are ten locks shown upon the plan handed in, or rather 20 locks; two separate lines of 10 locks each. They give communication from the Bridgewater Canal lower down to the Ship Canal on the estuary of the Mersey.

1942. Besides the locks at Runcorn, which are a flight of 10, there are three locks called Hulme Locks at Manchester?—Yes, at the other end of the navigation, the Manchester end, there are three locks downwards from the Bridgewater Canal, which give communication with the terminus practically of the Ship Canal.

1943. The Bridgewater Canal has existed for about 125 years, has it not?—Yes.

1944. And the Mersey and Irwell, another navigation, 170 years?—Yes.

1945. What were the original powers of the company as to charge?—The powers given to the Duke of Bridgewater when he made the first portion of the canal (it was made in three portions) was to charge 2*s.* 6*d.* per ton irrespective of classification or distance.

1946. It was a gross toll?—Yes, it was a gross toll. He extended the canal, or rather at first he altered its direction, carrying it to Manchester instead of as originally to Salford, and so he could not come for an extended canal. Subsequently the canal from Stretford Watersmeeting, near to Manchester, to Runcorn was made, and still the 2*s.* 6*d.* toll remained as applicable to the again-extended navigation. After that the canal from Worsley to Leigh, a portion of the branch running northwards was added. and the toll still remained 2*s.* 6*d.* per ton for any distance.

1947. It is a general all-round toll of 2*s.* 6*d.* for any part or the whole distance?—Yes.

1948. Then upon the Runcorn and Weston Canal these tolls were not allowed, but 6*d.* and 4*d.* were the general and particular tolls upon that canal?—Not 6*d.* plus 4*d.*; but 6*d.* or 4*d.* upon the boats which passed through a lock or did not pass through a lock.

1949. All these charging powers are in excess of what has been actually charged to the traders?—The maximum is only charged in respect of class goods; that is to say, the more valuable classes of goods running the entire length from Runcorn to Manchester.

1950. First of all, are the tolls that you have been charging in your view satisfactory to the trade?—I believe they are. I have every reason to believe so.

1951. When you were before the Board of Trade, upon the Inquiry held by Mr. Pelham, it was urged that the present tolls actually

Mr. *Balfour Browne*—continued.

charged would be such as would satisfy all parties to be inserted in the Schedule?—Yes, and some of our principal toll-payers came up to say they would be satisfied, but of course a difficulty arose in re-enacting so miscellaneous a Schedule as was in operation, and the attempt to raise the Schedule by reference to these tolls was thought not to be symmetrical with what the Committee arranged generally.

1952. The traders were perfectly satisfied with the offer that if the Board of Trade could introduce a clause to say you should not at any time charge more than you were actually charging you were willing to come under the obligation?—We expressed ourselves willing to do so, we expressed ourselves willing to take the Schedule which they now put forward, and to get it enforced; in other words, we want to make it an absolute security to the trade that no increase should be made or made conditionally upon our having a Schedule which would at the best take away about 4,000*l.* of our existing revenue.

1953. There were technical difficulties against carrying out your proposal; and did you submit a Schedule upon the lines of the Leeds and Liverpool Schedule?—With slightly different figures, yes.

1954. You are comparable to the Leeds and Liverpool Canal, you are entirely an independent canal, you have no railway interest opposing your canal interest?—No interest antagonistic whatever.

1955. Your sole interest is to develop and get as much traffic as you possibly can?—Yes.

1956. As a matter of fact, have you done so?—Yes.

1957. And you have a large traffic?—We are the busiest canal; that is to say, we have the largest ton mileage of any canal in the Kingdom.

1958. So large that you are really at an end of your tether, you cannot practically increase your trade?—Except in the immediate present time when trade is depressed, that is so.

1959 At your maximum time you cannot do any more than you are doing?—We found it to be the case a year or two ago. I should qualify that by saying that that was in respect of traffic requiring to pass through Runcorn Locks, which means nearly all. We could have accommodated more traffic locally between point and point upon the level, but there are no towns or works requiring it.

1960. You could carry more upon the level pound than is actually being carried, but the weakest point in the chain is your lock?—Yes.

1961. And you cannot get practically more through the lock?—No.

1962. Upon your side the Board of Trade have proposed certain tolls standing you in a considerable loss?—Yes.

1963. How much?—The loss can be ascertained definitely as regards the tolls, and only by assumption as regards the freights, the definite loss upon tolls by their proposal would have been 2,148*l.*; we believe that our freights would have to be reduced *pro rata* to the extent of 2,069*l.*, making a total of 4,218*l.* loss.

1964. Have you got the three Tables, which would

Mr. *Balfour Browne*—continued.

would let the Committee follow it, which show what the proposals of our opponents are, what the company's proposal is, and what the Board of Trade proposal is, and what they amount to in figures?—Yes; I have not Tables for distribution, but I have the calculation in my hand. The first Table is the Mansion House proposal, as I call it: I think that is right, notwithstanding the disclaimer; the amendments standing in the Mansion House name yield this result.

1965. What would be the result if the Mansion House proposal is adopted?—Taking the total, 15,038*l.*

1966. That would be your loss?—Yes.

1967. And upon your own proposal, £4,217?—Yes.

1968. And on the Board of Trade proposal, as it stands in the Schedule?—£9,583.

1969. Even on the Board of Trade proposal is it a very serious thing for your company to contemplate?—Very serious indeed: I see no reason why we should be asked to lose anything; we charge moderate tolls in all directions.

1970. Have you, up to the present time, had any complaints of the traders that your actual charges were excessive?—No, none except current small matters, which are always dealt with on their merits satisfactorily.

1971. No general complaint that you are charging too much?—No, we are frequently quoted to neighbours as an example of what they ought to do.

1972. You said you could not extend your trade, and therefore you cannot hope to recoup yourselves for the loss as some canal companies may?—On the contrary we expect a diminution due from a different cause; another competitor has come into the field, the Ship Canal, though it is in our interest it will necessarily take away a portion of our business by the change of method of dealing with it.

1973. You dealt with the capacity of your canal, and indicated that the locks were not such as to pass more traffic?—Yes.

1974. Have you any difficulty with regard to the water supply?—Yes, we are in this position, that we have no reservoir of water beyond the body of the canal itself. Our canal is 39 miles long, but that is not the full extent of the reservoir. The portion of the Leeds and Liverpool Canal joining it at Leigh is on the same level, and adds another four or five miles; a portion of the Trent and Mersey Canal extending from Preston Brook to Middlewich is on the same level, so that the present canal is 67 miles in extent, acting as a reservoir, but we have no reservoirs from which to work beyond that, and in dry seasons our canal gradually loses its level. Last year, for instance, the level was lowered from the normal one by 10 or 11 inches in some cases, that restricted the carrying capacity of the boats by 25 per cent., or nearly so.

1975. You cannot hope if these tolls are allowed, to recoup yourselves by any increase of traffic owing to the lower tolls?—The increase of traffic would bring such an enormous increase in expenditure upon works for water supply that the increase would not do more than pay the extra outlay.

1976. What is the revenue of the Bridgewater

Mr. *Balfour Browne*—continued.

Canal, on an average of years?—Taking it since 1887, when it was purchased by the Ship Canal Company, that is seven years in all, it is 58,200*l.* to June 1893.

1977. The Board of Trade reduction, therefore, would amount to a loss of income of 7 per cent.?—Slightly over 15 per cent.

Chairman.] What is the actual sum that they would lose annually?

Mr. *Balfour Browne.*] Over 9,000*l.* out of the 58,000*l.*

Sir *William Houldsworth.*] That is including freights?

Mr. *Balfour Browne.*] Including freights, because this canal company is not only a toll-taker, but has to compete with others, and if the tolls were reduced the carrier's charge would go down and they would have to come down to the carrier's.

Sir *William Houldsworth.*

1978. They would have to take the tolls off on freight?—Yes.

Mr. *Balfour Browne.*

1979. And if the Mansion House proposals were accepted it would take off 15,038*l.*?—Yes.

Sir *William Houldsworth.*] Have we anything to do with the Mansion House proposal; was it before the Board of Trade?

Mr. *Balfour Browne.*] That is what it works out at in the proposal before you.

Chairman.] Do they appear here in opposition?

Mr. *Balfour Browne.*

1980. Yes, we have the advantage of Mr. Whitehead on this side, so that somebody else appears for the Mansion House. (To the *Witness*) You calculated it, and I believe it works out at 15,038*l.*?—I presume they appear against alterations, *plus* an alteration of their own, suggested by the amendment upon page 2, that lines 23 to 25 should be taken out as to the bonus mileage at Runcorn.

1981. At any rate that is how it works out, putting these two things together with the proposal?—Yet.

1982. With regard to their bonus mileage I will just ask the grounds of your asking for it and justifying it; the bonus mileage probably hangs with the question of tolls; have you calculated them in together?—We were in this difficulty, that we wanted to frame a Schedule approximating to our existing revenue, and if we merely made a scale of so much per mile without any bonus mileage, we should have figures which would appear larger by comparison with the Leeds and Liverpool, and other settled typical canals. It was therefore thought advisable to reduce the figure as far as possible, and to look at the incidence of charge in the Runcorn Docks, which are costly in working and have been costly in construction, and are also situated where our expensive expenditure of water takes place, and where the congestion is greatest. We also followed the precedent of the Leeds and Liverpool Canal, which I think has four

Mr. *Balfour Browne*—continued.

four or five bonus mileages in connection with it at various points and places where the works are expensive and difficult.

1983. One of the main reasons put before the Board of Trade, both by the Leeds and Liverpool Company and ourselves, was that if you raised the tolls in the order to cover the expense of these locks, everybody, whether they used the locks or not, would have to pay for them?—Yes.

1984. But if on the other hand you put it as a bonus mileage on the lock, those having the advantage and benefit of the locks, would be made to pay for the locks?—Yes.

1985. And that has been approved by the Board of Trade?—Yes, the Board of Trade are with us on this point.

1986. They have already reduced your tolls to a very low level, and that is one of the things you protest against?—Yes, they have gone a little too low.

1987. As the figures when put before the Committee seem to indicate, it amounts to 9,000*l.*?—Yes.

1988. This canal was originally made by the Duke of Bridgewater under Parliamentary powers, and he therefore has power to charge these tolls that you have already mentioned?—Yes.

1989. It was purchased, I believe, by a limited company some time in 1872?—Yes.

1990. And when the Manchester Ship Canal was being promoted, the Limited Company sold to the Manchester Ship Canal the undertaking of the Bridgewater for a certain sum of money?—Yes.

1991. What was that?—The actual purchase price was 1,710,000*l.*; with a little subsequent capital expenditure upon the Bridgewater Canal it comes to one and three-quarter millions.

1992. The price given was somehow fixed upon the basis of revenue?—Yes, it was almost entirely fixed upon the basis of revenue.

1993. It had nothing to do with what the canal originally cost?—No; that was not inquired into.

1994. It was found that you were earning a certain amount, and it was turned into a capital sum, and they paid down 1,700,000*l.*?—Yes; to put it shortly, it was thought that 60,000*l.* a year was worth one and three-quarter millions of capital; 60,000*l.* a year was about the annual earning of the Bridgewater undertaking in 1885, when the bargain was made.

1995. It was in 1885?—Yes, in 1885.

1996. Since that time have they expended large sums of money upon the Bridgewater Canal?—Yes; not in proportion, but probably 40,000*l.*

1997. With the view of improving the canal, and making it better for the traffic it had to carry?—Yes.

1998. What was done?—The extension of the warehouse at Runcorn is one item, and mainly improving the main line of the canal itself, the improvements being principally taking out the narrow places, and making the canal the full width, so that boats could pass without waiting for each other. A material thing for boats travelling behind tugs in fours or fives is waiting, and it is a very considerable expense.

(0.161.)

Mr. *Balfour Browne*—continued.

1999. Taking your present revenue, as you give it in that capital amount which was paid for it, how much are you getting for your capital invested in the canal?—£.58,200 has been the average of the last seven years. The calculation you allude to is what we should have if this amendment was carried, it would reduce us to 2·8 per cent.

2000. If the larger amendment were carried?—Yes, if we take the 9,000*l.* of the Board of Trade, it would reduce our earnings upon that expenditure of capital to 2·8 per cent.

2001. That would be a very small return, would it not?—We think so.

Sir *Richard Paget.*

2002. What is the percentage at present?—£.58,200 is the average for seven years of the net income; the current year is less owing to the opening of the Ship Canal which has taken some trade which has hitherto gone by the Bridgewater, but it is an undetermined amount.

Mr. *Balfour Browne.*

2003. Take the 58,000*l.* you mentioned, and divide it over your capital cost, and tell us what it works out at?—It is over 3 per cent.

2004. It is a little over 3 per cent.?—Yes.

2005. It would be reduced to 2·8 if the Board of Trade proposal is allowed?—Yes.

Sir *William Houldsworth.*

2006. What is the capital sum you get that upon?—One and three-quarters millions, I deduct from that the value of the property that has been taken for the construction of the Ship Canal, in other words a large portion of the Mersey and Irwell navigation; 150,000*l.* is deducted for that, making the capital 1,600,000*l.*

2007. That is the figure you calculate the 58,000*l.* upon?—Yes.

2008. They bring out 2·8 per cent.?—No, I calculated 68,000*l.* less, and the Board of Trade 9,600*l.*

Mr. *Balfour Browne.*

2009. Turn to the figures you are proposing. In the Schedule of the Board of Trade they propose to group Classes A. and B. and make them one class, I am speaking of tolls, and they propose to allow you ·50*d.* for the first 10 miles, ·45*d.* for the second, and so on. Your proposal is to separate A. and B. into two classes?—Yes.

2010. As they are in ordinary railway clearing house and ordinary railway classification. Why do you do that?—I think the classification suggests itself. There is no utility in Classes A. and B. except for differential charging, and if I adopted an intermediate figure it would be high for some articles in Class A. and low for some articles in Class B.

2011. Our proposal is this, that the tolls in A. and B. should be separated and that you should have instead of ·50 for Class A., ·65, and that you should have for Class B. ·70?—Yes, or alternatively we should have no objection to grouping if the ·70 were to apply to both.

2012. That would cover everything, but ·50 does not cover the proper cost of Class B. and

Mr. *Balfour Browne*—continued.

even does not cover Class A.?—It is too low even for Class A.

2013. The rest of the scheme is only following that out. You ask ·75 for Class C., and for timber ·90?—No, ·85.

2014. I thought we proposed to put timber in a separate class?—That is so; you are right.

2015. And for the numbered classes we propose for Class 1, 1*d.*, and for Classes 2, 3, 4, and 5, 1·2*d.*?—Yes.

Sir *William Houldsworth.*] You said for Class C., ·75; you meant ·85?

Mr. *Balfour Browne.*

2016. Yes, it is ·85. Timber is taken out of Class C. and put into another class by itself. If you look at class for the first 10 miles we keep the ·85, which is the Board of Trade Table, for the next 10 miles we raise the ·65 to ·70, for the next 10 miles we raise the ·55 to ·60, and for the remainder of the distance we raise the ·35 to ·40?—Yes; we are 1-20th of a penny more all through the line; it is consequential.

2017. As I understand, if every one of these proposals is allowed you still stand to lose 4,000*l.* odd a-year, as you have told the Committee?—Yes.

2018. A question upon the rates, because rates and tolls hang so much together. The Schedule proposes to allow you certain rates. First of all with regard to tolls, you have no competitor?—Quite so.

2019. Therefore it is highly important, in the interests of the public, that with regard to tolls you should have some maximum beyond which you cannot go?—Yes.

2020. With regard to rates, you are in active competition with a great number of carriers?—If you exclude coal, which we do not carry ourselves, we carry slightly more than all the other bye-carriers together. If you include coal then they carry nearly three times what we do.

2021. So that every ton of goods that you carry some other body could carry?—Yes.

2022. Under those circumstances is the regulation of rates, from the public point of view, of less importance?—It is of very little importance. It has been frequently urged upon me by the carriers on our canal that they do not want them to be too low so as to interfere with their livelihood.

2023. Suppose the Committee put you down to starvation rates, you would be compelled to compete against the individual carriers, and perhaps make it impossible for them to carry on their trade?—That is felt by themselves.

2024. And whatever maximum the Committee give you the traders, so long as they remain, will always keep you down with regard to the question of rates?—We should be obliged to keep the same relation to their charges in future as now. If they reduced 6*d.* a ton we must of necessity follow. They have all the advantages and the ability to conduct a general carrying business on our navigation that we have ourselves.

2025. You propose certain amendments in the rate table?—Yes, they are consequential upon the tolls. The margin between the tolls and the rates in our Table is as little as we can afford to perform the carrying service for.

Mr. *Balfour Browne*—continued.

2026. In fact the rates are built up of the toll allowed by Parliament, plus what it cost the carrier?—Yes.

2027. In every case in Table A. you have built them up in that way, merely adding the increases that you have put on to the tolls below?—Practically so.

2028. My learned friend, Mr. Compton Smith, reminds me of one thing, which you have altered or modified in your table of rates. You put under "maximum service terminals" for Class A. an allowance of 3*d.* a ton for loading and 3*d.* a ton for unloading.

Mr. *Pelham.*] You had better take that separately.

Mr. *Balfour Browne.* Very well, I will reserve that.

Chairman.] Are we going into the question of terminals this time?

Mr. *Balfour Browne.*] I hope not.

Cross-examined by Mr. *Darlington* (on behalf of the Mining Association).

2029. I think we are very much at one as to what we should like to have; we should like to have some arrangement by which the present tolls should be settled and established, is not that so?—If possible, yes; I think we are at one in that.

2030. I think when this inquiry was before Mr. Pelham, in reply to Mr. Ellis you said you would be willing to deposit in some independent custody a Table containing what these rates and charges are?—Yes. Mr. Ellis suggested some such method, and I remember Mr. Pelham said he thought it an inconvenient method.

Mr. *Balfour Browne.*

2031. All that Mr. Ellis wanted was the actual charges?—Yes.

Mr. *Darlington.*

2032. We are really at one as to what we want. Neither you nor I desire to increase the charges that you are making at present?—Just so.

2033. And further we are in agreement in saying that the great and important question is the tolls and not the rates?—Yes.

2034. Do you know, as a matter of fact, that on a very large quantity of your coal trade, even the tolls proposed by the Board of Trade would be a great increase upon those at present charged?—Do you mean the proposed maximum.

2035. Yes. Would not the maximum you would be given under the Board of Trade proposal increase some of your actual tolls?—It would give a power of increase undoubtedly, but we would not wish to exercise it; we would be bound, if any practical method could be suggested for binding us, not to increase any existing tolls. It is inevitable that we must take a power larger than the actual tolls in many instances

Mr. *Darlington*—continued.

instances if a Schedule is to be framed at all. We charge 7*d.* a ton upon coal which travels from Leigh to Runcorn, a distance of 34 miles. The Schedule would give us the power of charging much more than 6*d.*, the lowest Schedule that has been before us. If you were to cut down the scale whereby coal from Leigh to Runcorn would only work out 6*d.* a ton, it would reduce the other figures to one-eighth or one-tenth of what they are now.

2036. Is that so with a large quantity of your coal trade?—Yes.

2037. Do you know the Astley and Tyldesley collieries?—Yes.

2038. Do they send a large quantity of traffic over your canal?—Yes.

2039. Something like one-tenth of your whole traffic?—No. I can give you the actual figures and compare it with the total traffic.

2040. Is not one-tenth of your total coal traffic from the Astley and Tyldesley collieries?—In 1891 the quantity of coal from the Astley and Tyldesley collieries was 97,000 tons, and the total quantity of coal in the same year was 737,000 tons, so that it would be really more than one-tenth.

2041. Would you be surprised to learn that that company alone would stand to lose 400*l.* a year on the maximum tolls set down in the Board of Trade Schedule?—If we charged them, but we undertake not to do so. We should not raise a single toll to Ashley and Tyldesley. We would be bound by any method which was practicable, and you have our assurance, both before the other Committee and now, that there would be no such increase.

Chairman.] Do the Mining Association object to the Schedule of tolls proposed by the Board of Trade?

Mr. *Darlington.*] No; we practically accept them, except on one point. So far as tolls are concerned we desire to support the tolls proposed by the Board of Trade.

Chairman.] With regard to the rates, what do you say?

Mr. *Darlington.*] With regard to the rates I have nothing to say.

Chairman.] You are satisfied with the Schedule proposed by the Board of Trade?

Mr. *Darlington.*

2042. Yes, except with regard to one point, that is the Runcorn locks. (To the *Witness.*) Will you tell me where this loss comes in of 2,149*l.* You gave a loss of 2,149*l.* on the Board of Trade Schedule; where does that come in?—In the coal from Leigh to Astley we should lose 1*s.* 1*d.*, from Astley to Leigh 3*s.* 5*d.*, from Bedford to Leigh 1*l.* 11*s.* 6*d.*, from Worsley to Leigh 2*l.* 3*s.*, from Worsley to Patricroft 1*l.* 15*s.* 8*d.*, and 15*s.* 5*d.*, from Worsley to Manchester, 95*l.* 1*s.* 6*d.*, and River Irwell to Rochdale Canal, 117*l.* 10*s.* 9*d.* There are sundry more small items.

2043. I suggest that the loss on coal is very small altogether?—About 220*l.* or 230*l.* This is upon our own amendment you understand, not upon the Board of Trade proposal, the figures are much greater upon the Board of Trade proposal.

Mr. *Darlington*—continued.

2044. Can you tell me what it would be upon the Board of Trade proposal?—On the Board of Trade proposal?

Sir *Richard Paget.*] We have that figure, 9,583*l.*

Mr. *Darlington.*

2045. That was the total loss?—Of which 1,097*l.* 9*s.* 8*d.* is attributable to coal, if we adopt the Board of Trade proposal.

2046. Can you tell me between which points the principal loss occurs?—Between the collieries of Leigh and Worsley and the canal wharves at Manchester.

2047. As regards the bonus mileage, that is on the Runcorn locks?—Yes.

2048. You are rather favourably situated as regards locks, you have practically none except at the two ends?—That is so.

2049. The clustering together of the locks is a very important point in the construction of a canal?—Yes.

2050. In the great majority of canals they occur along the whole length of the canal?—Yes.

2051. Therefore, having them all clustered together is rather favourable than unfavourable?—Yes, you may say so.

2052. Then, as locks are a necessary part of the construction of a canal, why, because your canal happens to have them altogether, should you ask for a special charge for them?—I think the explanation which Mr. Pember gave in opening was a very feasible one, the expense of working these locks is great, the expense of constructing them was great, and the loss of water takes place in that part of the canal where the capability of passing is most limited. We would rather have a boat go 20 miles on the level than one mile in the locks. I think that is quite sufficient explanation.

2053. That would equally apply to these locks if, instead of being all collected at one point, they were scattered the whole length of the canal?—That would be an impossible application.

2054. On account of the conformation of the country?—Yes.

2055. But it is a mere accident?—Yes, but it is a case for which we have to legislate.

2056. On the rest of your canal you are exceptionally well situated?—Yes.

2057. And you make up for it?—Yes, quite so.

Cross-examined by Mr. *Ricketts.*
(*For the Mansion House Association.*)

2058. You said that your rates at present were considerably below what is now proposed by the Board of Trade?—Yes, in many cases that is so, in the majority of cases I can tell you the proportion.

2059. Considerably below?—Yes.

2060. It was in respect of coal that you were giving your answer?—It would affect 198,482 tons; it would not affect 547,810 tons.

2061. You said you were willing to be bound not to increase the rates at present charged?—Yes, there is one little reservation I did not put.

Mr. *Ricketts*—continued.

At the Runcorn end there must be a certain adjustment which must be explained later; there are two lines of locks at Runcorn; at the upper end of them on the level of the Bridgewater Canal are large alkali works belonging to the Alkali Union. At the present time, by bargain as the result of a law suit, they pay 3*d.* a ton on all traffic from those works down to the locks at the bottom, and 6*d.* a ton on all traffic coming up; we say we should apply this Schedule with a bonus mileage, and sometimes raise that 3*d.*, and also sometimes lower the 6*d.* With that little reservation we undertake to raise no tolls on any other part of our canal. We undertake not to raise any existing tolls, even though the new Schedule may give us the power to do so.

2062. Are you prepared to be bound also as regards salt, and grain, and timber?—Salt, and grain, and timber are, as a matter of course, included, I say everything.

2063. How do you suggest that you should be bound?—I do not suggest any method; I do not know of any particular method; one was put to me in the last inquiry, and I agreed to it, but I do not see how I can suggest any.

2064. You are willing to be bound, but you cannot be bound?—I do not see how you can do it by any document.

Chairman.

2065. The only way would be by reducing the tolls; I do not see how you or any body of directors could be bound in all time not to exercise their power to charge a higher rate or toll?—We are in that position to-day. By one of the sections of the Ship Canal Act of 1885, for the protection of some of the traders, it was enacted that all charges in respect of the Bridgewater Canal should not be increased.

Mr. *Ricketts.*

2066. As to tolls, you said there is no competition, or very little competition?—By competition I mean there is only one canal for the traders to go by.

2067. You are not bound to make your prices as low as possible, because there is no competition?—Yes, we are bound to make our prices as low as possible.

2068. You said that there was not much competition?—Mr. Balfour Browne put it this way: if boats go along the canal they must pay the tolls; he put it to me that we compete with others with regard to carriage, but that we do not compete with regard to tolls, because the canal belongs to us, and nobody else, for tollage purposes; he only used the illustration to show that compared with the tolls rates were unimportant as a matter of fixture by ourselves, they being governed by the carriers in open market.

2069. The rates you say are unimportant as compared with the tolls?—The limitation of them.

2070. Would not it be for the benefit of the public that the maximum tolls should be, as low as possible?—That is a general question; it is a matter of opinion. If you destroy the canal by cutting down the rates and tolls I doubt whether it would be a public benefit. I think it would be the reverse.

Mr. *Ricketts*—continued.

2071. Coming to your proposals as regards Classes A. and B., you differentiate the two classes?—Yes.

2072. Is not that contrary to the proposals of the Board of Trade in every other Schedule with one or two exceptions?—I have not looked through all the other Schedules; it is an amendment of our own of the Board of Trade proposal. We wish to vary it to that extent.

2073. Does salt in any way damage the canal boats?—Yes: it is damaging to them in this respect, that when they carry a cargo of salt they cannot carry any cargo they please next. You could not carry Manchester goods after salt.

2074. Do you carry salt in your own boats?—No, we do not carry salt.

2075. Do you know that salt in the old Acts is charged at the lowest rates?—No, I do not know that; it is not so in our case.

2076. As regards through traffic, do you gain any benefit from this bonus mileage in the through traffic?—Not if it goes to the North Staffordshire Canal, because we have an agreement with them that notwithstanding anything in this Schedule the tolls in the Trent and Mersey Act shall be our minimum.

2077. Would that affect the traffic to Birmingham?—Yes.

2078. Would there be any loss on the through traffic according to the Board of Trade proposal?—Not according to the Board of Trade; there would be if your suggestion to strike out the bonus mileage were tacked on to the Board of Trade suggestion.

2079. In respect of through traffic?—Yes.

2080. How would the loss occur, and where?—If we charged only for five miles between Preston Brook and the River Mersey upon Class C. traffic 0·5*d.* we should only get 2½*d.* where we get 6*d.* to-day.

2081. You pay that to the other company?—No, there is an agreement in negotiation, which I hope will be concluded shortly; but even then it would be more than the Board of Trade proposal would give, plus your amendment.

2082. Is there any greater expense in dealing with salt than in dealing with coal as regards loading?—In a sense, no; that is to say, a boat-load of salt woule be no more costly to us, *quà* tolls, than a boat-load of coal, therefore salt comes in the same way.

Re-examined by Mr. *Compton Smith.*

2083. Something has been said with reference to a book that was proposed before Mr. Pelham to be deposited?—Yes.

2084. That book contains a record of the tolls which you were then actually charging?—Yes.

2085. I understood the Board of Trade thought it an inconvenience course; are you prepared now, supposing your schedule of tolls is accepted, to deposit such a book?—I am prepared, though I think it an awkward method.

2086. That is the only method before the Committee at present. Would you be prepared to admit in this Bill a clause similar to that which

is

Mr. *Compton Smith*—continued.

is contained in the Manchester Ship Canal Bill of 1885, making it obligatory upon you not to increase the charges and tolls that you were then charging?—I place myself in the Committee's hands in that respect, but I cannot conceive why such a thing should be put upon us when you have not done it with any other canal before the Committee.

2087. That was your offer?—It was so. We place ourselves in the Committee's hands to confirm it by a resolution if necessary, but I do not think it necessary, everybody is sufficiently guarded without.

Chairman.

2088. I do not understand what you propose to do; is it a toll or a rate that you speak of?—A toll.

Chairman.] It means that they should have the power of charging a certain toll, but that they should undertake not to make the charge.

Mr. *Compton Smith.*] If your Grace would take the explanation from the witnesf, he is well acquainted with it.

Witness.] You are perfectly right. They ask that there should be some enactment whereby no tolls which in future would be under our maximum should be raised in any way to approximate to the maximum, that condition has not been put upon any other company.

Chairman.] What is the object of such a proposal, because if you are entitled by the Bill to charge any particular sum, and then there is a clause inserted in the Bill to say that you are never to charge it, I do not see the merit of it.

Mr. *Pelham.*] It was before the Board of Trade. The fact is that the tolls at present are very unequal. They want to propose, they say, a 6*d.* toll, bocause they in some cases charge 6*d.* at the present time, but in other cases and for the same article and the same distance they only charge 2*d.* or 3*d.*; therefore they propose to take the maximum power of 6*d.*, but they pledge themselves not to charge more than 2*d.* or 3*d.* in in those cases where they now charge it.

Chairman.] It is a very awkward way of doing it.

Mr. *Pelham.*] The Board of Trade felt that it was contrary to the provisions of the Act, because, so far as the Board of Trade is concerned, the Schedule must contain a reasonable toll, and cannot be by reference to somebody else.

Mr. *Waghorn.*] I appear on behalf of the Lancashire and Cheshire Conference.

Mr. *Compton Smith.*] My learned friend should have appeared before I re-examined.

Mr. *Spicer.*

2088*. What is the meaning of 6*d.* to some people and 2*d.* to others?—That is a hypothetical case.

Mr. *Pelham.*] That is only a hypothetical case. It is a fact that there is a much lower charge upon some parts than upon others.

The Witness is directed to withdraw.

Mr. *Compton Smith.*] I have no further witnesses to call upon the Schedule. The amendments will be dealt with afterwards in their order.

Chairman.] Do you propose Part I. or Part II.?

Mr. *Compton Smith.*] I am now proposing an amendment to the Schedule which has been put forward in the Bill, and my Schedule, your Grace, is in two parts, Table A., Part I., and Part II.

Chairman.] Which do you now propose—both?

Mr. *Compton Smith.*] I now propose both.

Chairman.] You have proposed both, and you call no further witnesses.

Mr. *Compton Smith.*] Not upon these Schedules.

Mr. *Darlington.*] I have a witness to call on behalf of the Mining Association.

MR. GEORGE HENRY PEASE, is called in; and, having been sworn, is Examined, as follows:

Mr. *Darlington.*

2089. You are Agent and General Manager of the Astley and Tyldesley Colliery?—Yes.

2090. You are a member of the Institute of Civil Engineers?—Yes.

2091. And you are also a member of the South Lancashire and Cheshire Coalowners' Association, which is affiliated with the Mining Association of Great Britain?—Yes.

2092. Have you been deputed to represent them here?—Yes, I have.

2093. Are your collieries connected by private railways with the Bridgewater Canal?—They are.

2094. They are actually situated upon the London and North Western Railway?—Between

Mr. *Darlington*—continued.

the London and North Western Railway and the Bridgewater Canal.

2095. And connected with the canal by a private railway?—Yes.

2096. I believe the average annual output of your collieries which goes by canal is something like 100,000 tons?—Something like that.

2097. You own a considerable number of boats, do you not?—About 50 boats of our own, and we load about 30 others, bye-traders' boats coming regularly, which we either hire or which belong to customers; about 80 in all.

2098. Have you given your attention to this Schedule proposed by the Board of Trade?—Yes, I have.

Mr. *Darlington*—continued.

2099. Tell me, generally, what you think about the Schedule with regard to the tolls?—So far as regards the Schedule of the Board of Trade on the long distances, it increases the existing charges, but slightly reduces the shorter distances. We have no obligation to raise it to the Board of Trade Schedule; in fact, we support it, but we object to the increase proposed by the amendment of the Ship Canal Company because it increases the toll on the whole.

2100. The amendment, if allowed, would considerably increase the charges at present made to you?—It would increase our present charges by more than 1,000*l.* a-year.

2101. As the Board of Trade Schedule now stands it increases in some cases and reduces in some cases?—Yes; on the whole the Board or Trade give them power to charge about 400*l.* a-year more than at present we are charging.

2102. Your company, which sends a considerable quantity of traffic by canal, would lose about 400*l.* a-year if the maximum were charged?—Yes.

2103. So far as Mr. Collier is concerned, you are willing to accept his statement so long as he is manager, but have you any control as to the future managers of the canal——

Chairman.] We need not go into that.

The *Witness.*] I may say the reason why it was suggested at the last Inquiry was this: that there was a similar clause in the Ship Canal Act when the Bridgewater Canal undertaking was transferred to them.

Mr. *Darlington.*

2104. If there is to be a maximum toll you think it ought to bear some relation to the tolls actually charged you at the present day?—Yes, and also to the other tolls which have been settled by this and other Committees in regard to similar canals.

2105. When the Manchester Ship Canal Act was settled there were some canals——

Chairman.] Let us confine ourselves to this case. We cannot compare this canal with others which are not before us. The reasons for other Acts of Parliament may have nothing to do with this state of things.

Mr. *Darlington.*

2106. The tolls at present charged to you are stereotyped, are they not?—Yes, they have been in operation for many years.

2107. And if they are to be varied, it should be on the give and take principle?—Yes.

2108. What have you to say with regard to the bonus mileage to Runcorn?——

Mr. *Whitehead*] Is not this a separate matter?

Mr. *Pelham.*] The bonus mileage forms part of the quantum of tolls; it should be all dealt with together.

Mr. *Darlington.*

2109. The bonus mileage charged for the Runcorn Lock is five miles?—We are not aware of any reason why that charge should be made.

2110. Has it ever been made so far as you know up to the present time?—No.

Chairman.

2111. Have they any power to make it?—I am not aware that they have.

Mr. *Darlington.*

2112. The traffic going through Runcorn Lock has never been subject to any special burden?—I believe they have the power, but I am not aware of it being charged.

Cross-examined by Mr. *Whitehead.*

2113. Are you aware that at the present time the maximum power of charge at the Runcorn Locks is 2*s.* 6*d.*?—I am aware that the toll over the whole canal is 2*s.* 6*d.* I am not aware that there is a special toll of 2*s.* 6*d.* for locks.

2114. Does the 2*s.* 6*d.* apply for the whole canal or any part?—Yes.

2115. And if any traffic goes through the Runcorn Locks it is subject to the toll of 2*s.* 6*d.*?—Yes, if charged.

2116. Are you aware that if the Board of Trade figures and the Schedule is accepted as it stands, that that power will be considerably reduced?—Do you mean the power over the docks, or over the whole length of the canal?

2117. The power of 2*s.* 6*d.*?—Yes, I believe that is so.

2118. Are you aware that even the proposals of the Manchester Ship Canal would reduce that power, and they are perfectly willing to reduce that power to a certain extent?—I do not think you can compare the present power with the proposed power; in one case it is 2*s.* 6*d.* whether the traffic goes one mile or 30 miles, the other powers are mileage tolls.

2119. Take your own figure of 20 miles?—I mentioned 30 miles.

2120. What would be the power under the Board of Trade Schedule for coal that you ask for?—Fifteen pence.

2121. Fifteen pence, instead of 2*s.* 6*d.*?—Yes.

2122. For the 30 miles?—Yes.

2123. And if it goes a less distance the reduction would be proportionately greater?—Certainly.

2124. All you want the Committee to give you is the right to have your existing tolls preserved?—The Committee seem to say they cannot do it.

2125. That is what you want?—We should be satisfied with it.

2726. You would be satisfied with no increase in your tolls?—Yes.

2127. You are a large customer of the Bridgewater Canal, and send a large traffic?—Yes.

2128. They have always treated you very well?—Yes, we have no complaint at all.

2129. Have you any real reason to believe they will increase the tolls if they get this margin of power. That I should not like to say.

2130. Though you heard Mr. Collier tell the Committee in the witness box that he will not raise these tolls, you yet think there is a possibility that he will?—I do not say Mr. Collier will, but his successor may.

2131. You

Mr. *Whitehead*—continued.

2131. You think his successor would do it?—

Chairman.] He does not say "would," he says "may."

Mr. *Whitehead.*

2132. Is it not the fact that even if your own proposal is taken and the Board of Trade figure passed, they would have the power to raise your tolls?—In the longer distances, yes.

2133. Do you want an increase of tolls?—No: we do not want that, certainly not.

2134. Would it not be better that you should accept their offer to prevent an increase of tolls rather than that you should give them this power in the Board of Trade Schedule?—If we are to be liable to be charged with the extra proposed, then it is a large sum, and I would rather not discuss the contingencies if they have that power.

2135. You are only interested in coal?—Yes.

2136. How many articles are there in Class A. in addition to coal; there are 22, are there not?—I will take your figures.

2137. It is 44 in Class A., and something like 100 in Class B.?—I think about 30 in Class A.

2138. And about 90 or 100 in Class B.?—I daresay.

2139. We will not be precise about the figure. There are a large number of articles in which you are not concerned?—Yes.

2140. Are you aware that the proposals of the Board of Trade would decrease the power of the company in respect of a great many of these articles?—I am not aware of that.

2141. Are you aware that the proposals of the Board of Trade very considerably decrease the company's power upoe these other articles?—If the company's present powers are 2*s.* 6*d*, a ton, which I understand they are for everything, I do not see how it affects the power.

2142. What you want to do is this: you would like to sacrifice the Company's power of getting revenue upon these other articles in order to get a gain to yourself personally?—We have no desire to injure the company.

2143. Suppose the effect of your proposal is to take away a large revenue from the company, that is a thing you do not wish to achieve?—No, so long as our interests are preserved.

Re-examined by Mr. *Darlington.*

2144. With regard to the coal question, you can only speak for one trade?—Our association is affected by the iron as well; but it is principally coal.

2145. The coal is by far the largest article of your traffic?—Yes.

2146. I may say, may I not, that in the class traffic that you do not actually represent the company would get an increase?—I have not considered the class rates at all.

2147. Anyhow, the Board of Trade Schedule represents the give-and-take principle?—I presume so.

2148. That is, at all events, how it will affect you?—Yes.

The Witness is directed to withdraw.

Mr. *Darlington.*] I have only a few words to say. With regard to the tolls the whole question as far as it concerns us has practically been got out of the witnesses, therefore I shall have very little to say to your Grace upon the subject.

Chairman.] Talking about what the various tolls would be, the last witness did not tell us what the toll would be on any article in Classes A. and B. that went right through.

MR. GEORGE HENRY PEASE is re-called; and further Examined, as follows:

Chairman.

2149. WHAT would it be if the Board of Trade Schedule is carried?—It would vary very much. Classes A. and B. would be reduced to about 1*s.* 7*d.* or 1*s.* 5*d.*, what they get upon the higher classes.

2150. Talking of Classes A. and B., it was something over 1*s.*?—I believe about 1*s.* 5*d.* or 1*s.* 7*d.*

2151. From 2*s.* 6*d.*?—Yes, the 2*s.* 6*d.* has never been a possible rate at all.

The Witness is directed to withdraw.

Mr. *Darlington.*] To get rid of the question of the bonus mileage at Runcorn, this canal is in an exceedingly curious position as regards locks; it has two or three at one end and 20 at the other, and all the rest of the canal is practically level. Most of the canals that have been before you have their locks spread uniformly over the canal, not at regular distances, but at distances regulated by the conformation of the country. In this case all the locks happen to be together, there are only some 20 locks or a very little more in the whole length of the canal. Why should that canal company come to your Grace and ask for a special charge because it so happens that all these locks are packed up in one place? Mr. Collier was unable to suggest any reason, except that they happened to be there, and I myself can see no reason whatever why a special charge should be made for locks that happen to be congregated in one place, seeing that a lock is a necessary incident to a canal where every part of it is over an undulated country. That is all that has to be said upon the point, except, as was admitted, that they never had made any differential charge, because a boat-load of traffic went through the locks, and I do not see why they should start it now. That is all that has to be said with regard to the Runcorn Lock.

Then with regard to the tolls generally, our case is simply this: that if the toll is to be of any value to the traders whatever, as a protection

tection against the company unreasonably raising the rates, it must have some relation to the tolls actually charged, and which now represent more or less roughly what the traffic will bear. It is a rough estimate of what the trader is able to pay in respect of the traffic. If the maximum toll is to be of any value to the trader at all, it must have reference to it and not reference to some old and obsolete charge authorised when these canals were first formed a great many years ago, and when people were unacquainted with the nature of the traffic going through them, or with the nature of the charge that that traffic would be able to bear. The actual charges now made must be the only guiding principle with regard to the tolls that are to be fixed. Now the Board of Trade Schedule, as Mr. Pease told your Grace, gave the trader a gain on the one hand and on the other hand a gain to the canal company; curiously the gain to the canal company was on the long distances, the reason being that one uniform charge had been authorised up to the present time. The Schedule is a give-and-take Schedule, and as such we submit it to your Grace. The aim of the canal company has been, of dourse, as it was the aim of the railway companies before, to put up the maximum tolls so as to cover the highest tolls, or in the case of a railway the highest rate they were then charging; and they said then, as Mr. Collier has said now, We are not going to charge you any more even if we get the power to do so. The case of the railways is a very good illustration of the fact that in some cases they may when Mr. Collier's enlightened management comes to an end, though I hope it will be a long time before it does, if the maximum rate is not controlled by the Act of Parliament which your Grace is now settling, some future manager may put up the toll to such a height as would be a great tyranny to the traders of the district, and it is as such that I submit it to your Grace.

Chairman.] Did we get what they charge now on the Bridgewater Canal?

Mr. *Darlington*] We did not go into any details.

Chairman.] I should like to hear from the witness what the present charge is.

MR. GEORGE HENRY PEASE is re-called; and further Examined, as follows:

Mr. *Darlington.*

2152 WHERE do you send your traffic from; halfway between Leigh and Worsley into Manchester, is it?—I will give the figures roughly. To Manchester we send about 5,000 tons per month; 60,000 per annum, and the rate is 7*d.* per ton.

Mr. *Balfour Browne.*] What is the distance?

Chairman.

2153. You told us the charge was 2*s.* 6*d.* over the whole distance?—That is a power; not a charge.

2154. What do they charge?—Sevenpence a ton to Manchester.

2155. All through?—To Runcorn, the other end of the canal, the charge is the same, 7*d.* per ton, and to Liverpool, passing down the Mersey, the charge is 8*d.* a ton. The great bulk of the traffic is covered by the toll of 7*d.*

Mr. *Darlington.*

2156. Whatever distance it goes?—Yes.

Mr. *Balfour Browne.*

2157. What is the distance that the 5,000 tons goes from your place to Manchester for 7*d.*?—About 11 miles.

The Witness is directed to withdraw.

Mr. *Ricketts.*] After what Mr. Collier has said, I have a very few remarks to make. My object is to ask the Committee to accept the proposals of the Board of Trade; and I suggest that the best way of carrying out Mr. Coller's proposal is to accept the proposals of the Board of Trade, coupled with his own understanding not to have the rates raised. As regards differentiating classes, A. and B., I wish to call your Grace's attention to what was said by Sir Courtenay Boyle before the Select Committee last year, at page 237, just a few lines: "*Chairman* (to Sir *Courtenay Boyle*).] We see that you, in dealing with the toll Schedule, have massed the classes together; that is to say, you have put A. and B. together, and left C. by itself, and put 1 to 5 together. Will you explain to the Committee what your reasons for doing that were?—(Sir *Courtenay Boyle.*) There is very little difference in the expense of dealing so far as the division of the highway is concerned, with articles of an expensive character and articles of a non-expensive character. When carrying there is a great deal of difference, but in simply providing the waterway there is no particular difference between the carriage of a ton of coal and a ton of lace. It is true that the boat getting a less useful loading is a little higher out of the water, and may, to a certain extent, damage the banks a little more; but that difference did not justify the Board of Trade in making eight classes for toll, and then practically only made three classes for tolls. We grouped together A. and B., and put C. in one class, and grouped together from 1 to 5."

Mr. *Balfour Browne.*] I have a very few remarks to make in answer to my learned friend. You remember that this is an entirely different kind of canal from those that you have been dealing with before; you have been dealing with canals in railway hands—the railways of course, as was admitted by my learned friend Mr. Pope, have diverse interests—their interest may be to prevent traffic going on the canals in order that they may have a profit both in tolls upon the railway and as carriers upon their railway. A canal like the Bridgewater has no interest whatever except to foster traffic upon its canal; it therefore can be fairly well trusted to charge first

first of all tolls, and secondly rates, which will foster and increase the traffic. Our interest is to get every ounce of traffic we can. Of course you know this is not so much a question of rates because, as we pointed out through Mr. Collier, with regard to the rates we are in active competition with the bye-traders, and these rates are kept down by competition. But with regard to the tolls it is our interest to get every ounce of traffic upon our canal. It is an entirely different thing in the case of a railway, and that is what the witness said with regard to the London and North Western Canal at Huddersfield, he said their interest is to take traffic off the canal and put it on the railway. Our interest is merely to foster traffic. I sympathise with the attitude the Board of Trade take up about our offer. We said we do not want to increase our tolls, we will stereotype all our existing charges. Mr. Ricketts said, If you do it for the Mining Association we are satisfied. The Board of Trade said, If we do that we are not fixing the tolls by this Schedule. If anybody sends traffic in future he must go back to the year 1894, and see what you were charging then, to find out the actual charge. That was the difficulty we saw, but we have no intention of raising the tolls; we only want, if possible, to preserve our present tolls. It is true you can pick out one toll that either under the Board of Trade Schedule, or under the Schedule that we propose, may show an increase; another will show a decrease, and my learned friend, Mr. Darlington, for the Mining Association, has picked out coal. For that particular distance of 11 miles and 5,000 tons, I believe our proposal would practically just cover what we are actually charging, so that there could be no increase upon it; but upon certain long distances there would be an increase; take the 30 miles. Mr. Darlington's witness had not correctly calculated it; he said the 30 miles would, as against our present power of 2*s.* 6*d.*, be something like 1*s.* 5*d.*, but if you take the proposal that we make you find that, instead of our 2*s.* 6*d.*, it comes out at 1*s.* 0¾*d.* If we got the bonus mileage it would have to be added on. But look what the reduction is upon our part, 1*s.* 5*d.*, according to the witness, as against 2*s.* 6*d.* We have not the least intention of even keeping up our tolls to their present position.

You have it in evidence from Mr. Collier that even if you accept our whole proposal we stand at a loss of more than 4,000*l.* a year. Surely that is a very great loss to a company who is not complained of. There has been no single complaint. Even the traders do not say a word against the company. It is a large loss, but having lost that 4,000*l.* we resent the Board of Trade saying notwithstanding that loss you shall have a further loss of 9,800*l.* Under these circumstances I venture to say that our proposal is fair and reasonable. We do not seek to maintain all we have. Coal is only one of a large number of articles in Classes A and B, but they would seek to reduce a large number of articles that they are not interested in at all. Mr. Pease and the Mining Association can trust Mr. Collier and the Bridgewater Canal. We have no hostile interests. Our interest is to increase and foster the trade. It has been said in other cases, Oh, if you reduce the tolls you will get a *quid pro quo* in an increase of your traffic, and there is a great deal to be said for it upon canals. It is true with regard to some of the railway canals in which you have increased the tolls, the Great Northern and Midland Canals, that the traffic may be increased, but where are we to look for it? Mr. Collier says he cannot increase the traffic, the capacity of his locks will not permit it, and he has no water, so that you are punishing without doing any benefit to the trade, except putting a little money out of our pockets into theirs to the extent of over 9,800*l.* if you accept the Board of Trade Schedule. I ask you to say that this canal, being in an entirely different position can be trusted, and as they give up 4,000*l.* a year out of 58,000*l.* the proposal will commend itself to you as a fair and reasonable one.

Chairman.] What have you to say, Mr. Pelham?

Mr. *Pelham.*] I understand the company to say that the proposal of the Board of Trade will inflict a loss upon them of 9,687*l.* Now, with regard to 4,500*l.* of that that is loss on the rates of the company as a carrying company. In the Board of Trade point of view there can be no objection to raising the rates, so as to cover, to a great extent, that loss, and I do not think there would be any objection from the traders' point of view. You see they are left with a loss on tolls of 5,187*l.*, I have not any suggestion to make as to what should be done about that, but it may be useful that I should explain the reason why the Board of Trade sanctioned a bonus mileage of five miles to the Runcorn Lock. The principle was settled last year of giving a bonus mileage of nearly five miles at the Liverpool end of the Leeds and Liverpool Canal. It is to be borne in mind that the company are put to a special expense at that place because they have to pump water. It is the only case of a canal where they are put to any expense whatever as regards water. It must be borne in mind, and the Committee will remember that in cases of other canals they have had to make reservoirs, and divert streams, and so on. In this case nearly all the water is obtained from other navigations. This bonus mileage is nearly five miles, which may be said, at any rate, to be a very generous concession. It must be borne in mind also that the cost of the canal, which is found to be so enormous, must be taken to be, to some extent, part of the cost of the construction of the Manchester Ship Canal.

Mr. *Balfour Browne.*] Mr. Collier said that in calculating the revenue, he had deducted all the land used for the construction of the Manchester Ship Canal, certain portions of the Mersey and Irwell were used in the construction of the Ship Canal; that was deducted, and 150,000*l.* was taken off the price for that.

Mr. *Pelham.*] I would like to refer to one point. It was said by Mr. Balfour Browne that other canals which have been before the Committee might expect, by having a low toll, to be able to recoup themselves by an increase in traffic, by reason of the low tolls. But that would not apply to this case, because the canal cannot possibly take any more traffic. But you will

will remember Mr. Collier told the Committee that the effect of the opening of the Ship Canal would be to divert a good deal of traffic in some way or another from the Bridgewater Canal, and on to the Manchester Ship Canal, in some indirect way, not that barges would go, but that certain merchandise would be carried up the Manchester Ship Canal; and the consequence of that would be that there would be room left on the Bridgewater Canal for some traffic that does not exist there now; and it would be an advantage to have a low toll so that the company may be able to recoup themselves. I am quite ready to admit that the circumstances of this canal are different from those of any other. There is no canal running parallel; the nearest one, and I suppose the only one almost running from east to west in the direction of Liverpool, is the Leeds and Liverpool Canal; that is the scheme which has been adopted by the Board of Trade. It is, perhaps, right to mention that the Committee have dealt with that, and there was no opposition by the Lancashire and Yorkshire Canal, the canal belonging to the Lancashire and Yorkshire Railway Company, which is somewhere in the neighbourhood, and a through toll was agreed upon in Classes A. and B. at 0·625*d.* That is rather higher than the one which is proposed for this. I wish to say I think the low rate which the Committee have heard of for through traffic is, no doubt, very much accounted for by the fact that there is a very low railway rate between Liverpool and Manchester.

The Committee deliberate.

Chairman.] The Committee have decided to accept the proposal of the Manchester Ship Canal Company, that is, to insert their Table A., parts 1 and 2, in lieu of the Table proposed in the Bill.

Mr. *Balfour Browne.*] Now, I think we had better go through the amendments.

Mr. *Pember.*] The question of the charge for loading and unloading is one of the details I had the honour of mentioning to you in opening the case. To show you how, in various points, the Schedule works against us, and how this great loss could be made up, I said, loading or unloading was limited to 3*d.*, whereas I could show you that in certain instances, and I gave you one, the loading and unloading cost three times as much. The best thing I can do is to put Mr. Collier in the box.

Mr. *Darlington.*] I do not know whether the Committee have arrived at any conclusion about the Runcorn locks, or whether they left that over.

Chairman.] That was covered by our decision.

Mr. *Balfour Browne.*] I was leaving it out, and you put in the Runcorn locks.

Mr. *Darlington.*] We suggested an amendment. I understand your Grace has decided that.

Chairman.] Yes.

MR. COLLIER, called again; and Examined.

Mr. *Pember.*

2158. YOU are aware of the rate for loading and unloading, and other matters, which is provided for in Sub-section 4 of Section 7 of this Provisional Order?—Yes.

2159. I want you to give some figures to the Committee showing what the effect on your canal would be if the figure of 3*d.* is adhered to?—Perhaps I may first say that timber is far and away the largest article in Class C. The next most important is grain. The actual cost in wages for unloading timber varies from about 8*d.* to 1*s.* 2*d.* a ton according to the difficulties of the exact position where the unloading has to be done. The cost of unloading grain varies from 3*d.* to 6*d.* The work of unloading timber is done almost exclusively by bargain work. When the timber arrives at its destination we engage a gang of what are known as deal carriers; these men make contracts to unload the timber, and the company in addition to paying them their bargain price find a tallyman to count the quantities and also pay a foreman to superintend the whole work. I have here a list of bargain-prices taken out for the busiest month of last year, August, and the rate varies from 7*d.* to 10½*d.* That is the direct payment in wages, exclusive of the two men we employ. The remuneration for the service, according to the Schedule now deposited, is 3*d.*, which is entirely inadequate. We ask that it should be an open figure, referable to the Board of Trade in case of dispute, as it is in Classes A. and B.

Mr. *Pember*—continued.

2160. Is there any other subject matter besides timber that you would like to bring before the Committee?—I take timber as being an extreme case; there may be others; I am not prepared with them. Logwood would be equally expensive to unload, but it is not quite so considerable in bulk.

2161. At all events your amendment is not confined to timber, but you would say for all such services you should have a reasonable sum, to be settled, if necessary, by the Board of Trade?—That is so.

Chairman.] That would apply to every article in Class C.

Mr. *Pember.*] Yes.

Chairman.] There are a great number of things in Class C. totally different from timber.

Mr. *Pember.*

2162. Yes. (To the *Witness.*) Does timber represent the bulk of your traffic in Class C.?—Yes, very much the greater proportion. If you take timber and grain you have dealt with more than two-thirds of our Class C. traffic, grain would cost 3*d.* to 6*d.*, and timber would cost 9*d.* to 1*s.* 2*d.* to unload.

Chairman.

2163. Are there any other articles you could name

Chairman—continued.

name in Class C. that would be similar to grain and timber?—I could name them by looking through the list.

Lord *Herries.*

2164. Is any large quantity of potatoes in bulk carried on the canal?—No.

Mr. *Richardson.*

2165. With regard to discharging grain, have you any mechanical appliances?—No, we have no elevators.

2166. With elevators you could discharge at less cost than at present?—Yes, that would involve outlay in constructing them.

Mr. *Pember.*

2167. Do you carry much scrap iron?—A fair quantity for short distances near Runcorn.

2168. What would be the cost of loading and unloading scrap iron?—Scrap iron is of a very heterogeneous nature. I do not think that at any time it would be less than 6*d.*, sometimes it would be 1*s.* 3*d.*

2169. In principle you would say very much the same as regards that as you do about timber, 6*d.* is the minimum and it goes up to a higher figure, at all events it is at least twice the amount of 3*d.* that is allowed in the Schedule?—At least twice.

Mr. *Pember.*] That is all the evidence that I need call. I should be content to deal with the principle of the thing upon those two or three items; it would be for you to consider whether it would be better to except those items from the class nomination, or to give us Class C. in its entirety, knowing that, as a matter of fact, the bulk of the traffic we have in Class C. is confined to those two or three articles. It is all protected by the reference to the Board of Trade if necessary.

Mr. *Ricketts.*] I cannot accept that on behalf of the Mansion House Conference.

Chairman.] What do you propose?

Mr. *Ricketts.*] I propose that the Schedule should be left as it stands.

Cross-examined by Mr. *Ricketts.*

2170. Your rates are inclusive rates?—Yes.

2171. Does not your maximum leave you a margin to compensate you for any loss incurred in the loading and unloading of timber?—I cannot tell you without you give me an instance. You ask me whether our maximum gives a sufficient margin to guard against loss in a constituent part of our charge; that may be so when not affected by any limit whatever, but when we come under these clauses we can be called on to justify our charge piece by piece.

2172. The charges are inclusive?—Yes, they are at the present time. We charge a customer a rate which covers loading and unloading, conveyance, and so forth.

2173. Does it cost you any more to load than

Mr. *Ricketts*—continued.

it does the Leeds and Liverpool Canal?—It costs us a little more to unload.

2174. How much do they get?—They get 3*d.* They can explain that for themselves. I know it is a very sore point with them.

Re-examined by Mr. *Pember.*

2175. Whether your rates are inclusive or not, the Bill provides that they shall not be inclusive, because as regards Classes A. and B. it allows you a reasonable sum to cover the cost of loading and unloading, and as regards Class C. it gives you a fixed sum of 3*d.*?—Yes; if people do certain services for themselves they want you to show what your maximum is for the balance of them.

2176. One of the objects of the Act of 1888 was to split up the rate into its constituent parts?—Yes.

Mr. *Ricketts.*] This is a large class that they are asking that this charge should apply to. I ask you not the proposal of the company, it will save individual traders from having to make individual applications in individual cases to the Board of Trade each time.

Mr. *Pember.*] My answer is that this charge for loading and unloading, fixed in the Table proposed by the Board of Trade, applies to Classes A. and B., of which the bulk of our traffic consists, and if it applies to those classes why should not it equally apply to C., and further, if the trader does not like the reasonable sum which even the Board of Trade fixes, he can go and do the work himself.

Chairman (to Mr. *Pelham*).] What have you to say upon this point?

Mr. *Pelham.*] When the case was argued before me I understood it only applied to timber, the evidence that was given certainly only applied to timber, and the question arising what the Board of Trade should do under the circumstances, I referred the question to Sir Courtenay Boyle, and this was his answer: "I do not think that the 3*d.* per ton for loading and unloading which has been carefully settled, after long inquiry into very varied circumstance, should be altered by us. Applicants must, I think, prove their case to the Committee. To my own mind it is not easy to imagine so exceptional a state of circumstances as would make a charge which has been very generally accepted as reasonably inadequate."

Mr. *Pember.*] I do not think we ought to suffer from Sir Courtenay Boyle's want of imagination.

Mr. *Pelham.*] The Board of Trade thought they had not power to deal with it themselves, and so they left it to the Committee.

The Committee deliberate.

Chairman.] The Committee have decided to put Classes A., B., and C., together.

Ordered, That this Committee be Adjourned to To-morrow, at Half-past Eleven o'clock.

Die Veneris, 22° Junii, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Herries.	Mr. Joseph Richardson.
Lord Hawkesbury.	

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(Bridgewater, &c., Canals).

Mr. *Pember.*] It would suit my learned friend Mr. Cripps, and me too, if your Grace saw no objection to take a matter that he and I are interested in; I for the Bridgewater Canal, and my learned friend for the Rochdale Canal; about the tugs making a special payment. It is at page 2 of the printed amendments: page 10, Section (vi.) at the end of the Section add: "The term 'tug' means and includes any boat moved by self-contained power, and employed in hauling another boat or boats, and whether also carrying cargo or not." Then I cannot help thinking that there will be a consequential amendment upon page 22 of the Bill, in Part III. of Table A., under the head of "Exceptional charges," "Applicable to all the canals to which this Schedule applies." Then you find the fifth of those is, "For the passage of tugs no carrying cargo on the canal;" and then under the heading of "charge" is put, at the side, "such reasonable sum as the company may think fit in each case, to be determined in the event of a dispute by an arbitrator to be appointed by the Board of Trade." In point of fact, it seems to me very much as though our other amendment would be satisfied by cutting out the words "not carrying cargo." But that is a question of drafting, and I will discuss now the principle. It seems to me that the matter is a very short one. So far as I can find out, the law attaching to the case of steam on canals is very well stated in a case against the Midland Railway Canal, decided in 1859 with regard to the Ashby-de-la-Zouche Canal. I simply cite the case for the purpose of putting, in as short a way as I can, what I take to be the law in the matter. It is reported in 27 Bevan. There was a canal in the possession of the Midland Railway Company called the Ashby-de-la-Zouche Canal; on that a certain person started a steamboat. I am not sure that it was a tug; I am rather inclined to think that it carried cargo too. The authorities of the canal stopped it, on the ground that the steamer would do special damage to the banks of the canal. The owner filed a Bill in Chancery to have his rights declared, or otherwise to use steam power on a canal. The marginal note to that case is this: "The company have a right to use steam power in navigating public canals, provided it occasions no more than the ordinary injury to it. Experiments were directed to be made by a civil engineer to ascertain the effect of steam navigation on a canal." I may say shortly that the result of it was that they said, If this boat is navigating and the speed is not greater than three miles an hour it will not do any damage. That being so a perpetual injunction was granted to restrain the canal company from preventing the plaintiffs using steam power upon the canal, the plaintiffs undertaking not to exceed a speed of three miles an hour. That I take to be the law, but why I read you the case so far as I have done with the marginal note, is to emphasise this, that the public right is not absolute but qualified, and qualified by these words of the judgment, "provided it occasions no more than the ordinary injury to it."

Now as a matter of fact the condition of things on the Bridgewater Canal is this: Like all other canals if you have these steam tugs on it of course they go at a speed of four or five miles an hour and do a considerable amount of damage. We have boats of our own. We began to use steam power on our canal before other people, and so we very soon found out this; that the power which was required to move a steam tug when it was going alone, say from four to five miles an hour, anything between three and five miles an hour was sufficient to do considerable damage to the banks; and if a steam tug is going at that pace when it goes alone it does damage; if it is dragging two or three barges after it, it goes

goes at a slower pace, probably slower than the pace mentioned in the case which I have cited; that is to say, less than three miles an hour; the power employed to get a tug along with a load behind it is as great as the power necessary to go a mile or two an hour more, and damage is done. It is a question of the power used in stirring up the water, and not a question of pace. No doubt the haulage was not invented in the days of the "Pioneer." No doubt if the "Pioneer" went three miles an hour without a load behind it, it only involved a pace not doing any particular damage; but if it had to go at the same rate of speed with two or three heavy barges behind it, then it would have to use the five miles an hour power, and the damage would be done. We, finding this, began to make our banks impervious to damage, and for that purpose we spent a very large sum of money, Mr. Collier the manager, shall tell you how much, but I believe it is to be numbered by tens and perhaps even hundreds of thousands of pounds. It is not concluded yet; a great deal has still to be done; and consequently a great deal of damage may still be done. But why I put the case with regard to these steam tugs is this: If you are hauling other barges you are earning money as a steam tug, just as much when you are carrying cargo of your own as if you were carrying no cargo. Therefore there is no reason why an exception should be made in your favour. When you are carrying cargo you are not merely using the canal for your own purposes, but you are using it for other persons purposes, and you are earning special money either for yourself or others in making use of the canal in that particular way. Therefore, if the principal upon which the Board of Trade has gone, of allowing a reasonable sum for the passage of tugs not carrying cargo, is right by parity of reasoning they ought to allow a reasonable sum for steam tugs carrying cargo, because they are earning special money just as much as if they did not carry cargo at all. Therefore the distinction between tugs carrying cargo and not carrying cargo is I think, futile. Also, it is no answer to our demand that we should have something for the damage done that we have thought it right, to a very great extent, to put our canal in order for doing this. If we had not put our canal in order for doing that the law would remain as it was, not only in our favour but also against them, and also against us to this extent, that under the "Pioneer" judgment they would be allowed to use our canal so long as they did not do special damage, and in our favour against them that they would not be allowed to use our canal with steam power if they did do a special damage. They would, therefore, either have to pay for the special damage done or be liable to an injunction which would have gone against the "Pioneer" if it had not been in a position to say I can use the canal under such circumstances as will not do special damage and have the power to use it. We have spent an enormous sum of money in getting rid of that difficulty, in releasing those who use our canal from that dilemma, and we are entitled to be paid something, whatever is reasonable, for having done that. In other words, put it in this way: The Rochdale Canal are opposing us, the Rochdale steam tug uses my canal and does special damage, or would have done special damage, but for the way in which I have rebuilt my banks, but it does damage to a part of my banks not so rebuilt, and it is liable under the general law now to pay me for the damage, or else to be stopped going. So far as my banks are made good I redeem it from that liability. I say, therefore, if I go on and put the whole of my canal in such a condition as would prevent any damage to me, I have redeemed them from the liability under which they would have been under the general law by spending a very large sum of money, and I am entitled to something in consideration of that expenditure, and whatever is reasonable the Board of Trade can say. I say, therefore, on the whole, it is reasonable that I should be paid for the special expenditure which has been for the benefit of those using my canal as much as myself as a carrier, whenever I do carry, and I am entitled, just as I cannot help debiting myself when I carry with the loss involved upon my trade by that expenditure I am entitled to debit the other people too, and the way to debit them is by charging them.

MR. WILLIAM H. COLLIER, is re-called; and further Examined, as follows:

Mr. *Compton Smith.*

2177. You have been called and examined before?—Yes.

2178. Did your company sometime in the year 1873 or 1874 turn their attention to the question of steam haulage upon your canal?—Yes.

2179. And did you come to the conclusion that economy would be effected by adopting steam haulage?—Yes; we came to the conclusion that by the use of steam we could haul at two-thirds the cost of hauling by horses, besides gaining greater despatch and greater punctuality in the moving of freight; 1874 was the year when we first introduced the tugs, and our experience has proved that it does cost about two-thirds as much to haul by steam as by horses

2180. Can you give in money what it costs to haul by horses, and what it costs to haul by steam?—Yes. The cost by horses to haul a laden barge from Runcorn to Manchester, or from Manchester to Runcorn, which is the whole length of our canal on the level, is 21*s.* for a laden boat and 15*s.* for an empty boat.

Mr. *Compton Smith*—continued.

Sir *Richard Paget.*

2181. How many hours do you take?—By horses about 10; by tugs the boats can be hauled at a cost of 11*s.* each, occupying eight hours, in the absence of any special obstructions.

Mr. *Compton Smith.*

2182. So that, not only is there economy, but there is greater despatch?—Yes.

2183. And, I presume, also greater certainty in

Mr. *Compton Smith*—continued.

in the delivering of the cargoes?—Yes; there is an advantage in several ways.

2184. From the year 1874 up to the year 1882 how many tugs were manufactured for your company?—We have either purchased or built 26 in all; they are boats of seven feet beam and 57 feet long, drawing four feet of water, and they develop about 55 horse-power. They are capable of drawing four barges in their train; these barges carry about 50 tons each.

2185. Perhaps when you speak of a train of barges you will tell the Committee what is the length of a train of barges?—With the tug and the intervening tow-ropes about 160 to 200 yards, depending to some extent upon the length of the intervening tow-ropes, but the average length of a train so made up will be close upon 200 yards.

2186. So that at the present moment you have a fleet of 26 steam tugs for use upon your canal?—Yes; the average number in actual use upon the canal is about 15 or 16, the remainder are either undergoing repairs or, as at the present time, lent to another department for other purposes, the purposes in this instance being the towage of the dredge boats about the Ship Canal.

2187. So there would be something like 12 or 15 constantly in use?—Yes, between Runcorn and Manchester.

2188. I will take you to the construction of the canal. The canal, you have already said was constructed about the end of the last century, about 1760 or 1770?—Yes.

2189. It was not constructed for the purpose of steam haulage?—Steam haulage, of course, was in the far future at that time.

2190. The canal banks are contained by walls in many places?—In most places, throughout the whole length. On the towing-path side of the canal there were water walls from the making of the canal. On the off side of the canal there are walls for the greater part of the length.

2191. Have you found, in consequence of the adoption of steam haulage on the canal, certain effects have been developed with regard to these walls?—Yes; the matter will be best understood if I tell you how they were constructed. The water walls went down before we commenced to improve them to a depth of about two or three feet below the water surface, and extended above it perhaps one foot. These rested upon earth banks, with a batter or slope of about 1 to 1 towards the centre of the canal, the slope of the earth bank beneath the wall was at an angle of about 45 degrees from the horizontal or vertical. The effect of the tugs was to erode this sloping bank which upheld the dwarf walls. The circular action of the propellers gradually pulled away the whole of this earth-bank, or in parts, and the wall subsided, coming down into the canal. That happened, to a great extent, in the early use of tugs. Previous to the introduction of tugs, two boats, known as setting boats, which were used for the purpose of repairing the canal banks, were adequate for the purpose. Since the tugs were introduced we have had to increase that number to seven or eight, and in addition to that to entirely stop the canal for a week at a time, in order to rebuild long lengths

Mr. *Compton Smith*—continued.

of walling. The rebuilding of the walls has been done in a very substantial fashion, which is shown in this photograph (*showing a photograph to the Committee*).

2192. In the rebuilding of the walls, have the walls been carried to a lower depth than they were before?—They have been carried to a depth of 5 to 8 feet below the water-surface of the canal.

2193. The effect you have described upon these walls is to be attributed, you think, to the adoption of steam haulage?—Certainly, it was co-incident with it. The effect was most apparent; I have seen all these cases as they have arisen, and the effect is just as I have described.

2194. With reference to another point, this canal, as I understand, is a level canal, supported by locks at each end, if I may put it that way?—Yes.

2195. So that the water in the canal lies at a considerable altitude above the surrounding country?—In places.

2196. The engineer who made the canal apprehended that the canal banks might burst, and what are called stop-places were put at certain places in the course of the length of the canal?—That is so.

2197. Will you explain to the Committee what those stop-places are?—When Brindley made the Bridgewater Canal, his idea was to make a long canal on one level as being economical and a good plan from an engineering point of view. In order to do that he had at times to carry the canal over valleys by means of artificial embankments. Those embankments are tolerably frequent, and somewhat long; there is one at Stratford, for instance, nearly a mile long; there is a similar one over the Bollan nearly a mile long; there are others at Preston Brook, Stockton Quay, and other places. In making a long canal, dependent on numerous embankments, it was very desirable that precautions should be taken to prevent depletion of the whole canal in case of any accident.

2198. My learned friend Mr. Cripps tells me he does not dispute this; therefore we may take it shortly. We may take it that at certain places there are bulges in the walls of the canal, or, as my learned friend Mr. Pember called them, constringed places, in certain spots, and the effect of those being there when a train of barges was going through is to delay the barges if they meet another train coming in the opposite direction, and they may miss a tide at Runcorn, is that so?—Yes.

2199. And besides that, when you have these stop-places in the canal, and there is a long train of barges going through the canal, they rub against the side, and considerable wear and tear is occasioned to tee plant?—Yes.

2200. Have you found it necessary to take away these stop places in a multitude of instances?—Yes, it was one of the necessary works to fit the canal for steam haulage.

2201. Between 1874 and 1892 what sum did you spend in taking away those stop places and repairing walls?—We spent altogether in taking away stop places, and rebuilding walls in a fashion which would not have been necessary had

Mr. *Compton Smith*—continued.

steam haulage not interferred with them, 112,000*l.*

2202. You have the details if required?—Yes.

2203. Not only have you spent this sum which would be put to capital, or which you treat as capital expenditure, but do you find that the annual charge for maintaining the canal has considerably increased?—Yes; as I explained, we employ seven or eight boats, instead of two in the repair; they are now reduced to five; but the annual cost of maintenance is at least 5,000*l.* a year more than it would be but for this steam haulage.

2204. Whereas it was formerly 7,000*l.*, it is now about 12,000*l.*?—Yes, we spent 112,000*l.* in removing these stop banks, and rebuilding walls, and we are still spending 5,000*l.* a year. Probably in eight years we shall have finished the reconstruction of these walls, and then probably a total expense of 160,000*l.* would measure the fitting of the canal for steam haulage; then we may retain to our old maintenance charge of 7,000*l.*

Lord *Herries.*

2205. Is the 5,000*l.* additional cost charged to capital?—At present we are taking it out of revenue.

Mr. *Compton Smith.*

2206. Do you find the walls now going down?—They are still subsiding rapidly; we have over 1,000 yards of walling on the towpath side at the present time fallen into the canal, and 5,000 or 6,000 yards which are giving way.

2207. Can you tell me the number of boats that were conveyed along the canal in the course of one year (I think the year 1891) by steam?—In the course of the year we hauled, between Manchester and Runcorn, 15,165.

2208. Taking 10*s.* saving on each of those boats, would it come to 7,500*l.*?—Yes; 10*s.* is rather too much to take, but that would be so, taking 10*s.*

2209. That is, putting it against yourself?—Yes.

2210. Taking this annual charge of 5,000*l.* and the interest, which you have to allocate to the 100,000*l.*, will you tell the Committee what you estimate as your loss on this steam haulage during the course of the year?—Taking the interest upon what we have now spent at 4,000*l.* a-year, and our extra maintenance of 5,000*l.*, that would be annual cost of 9,000*l.*; but when we finished the improvements of course it would be the only interest on 160,000*l.*; that would be 6,000*l.* a-year.

Sis *Richard Paget.*

2211. Meanwhile you are saving, according to your statement, by having steam haulage instead of horse haulage?—Yes, but we are towing other people's boats; and they would tow them themselves, and get the saving themselves, so they should contribute towards the expenditure. We tow for others, and in towing we get a profit of 6*s.* or 7*s.* a boat.

Mr. *Richardson.*

2212. You say you have 26 tug-boats altogether; do they belong exclusively to the Bridgewater Canal?—Yes.

Mr. *Richardson*—continued.

2213. So no one else damages the banks except your own boats?—Within the last two or three years the Rochdale Canal Company have established a number of steam barges which they use not only as carrying boats but as tugs of their own boats; I think about a dozen.

2214. They come on your canal?—Yes.

Sir *William Houldsworth.*

2215. Have you at present a special power to charge for tugs if drawing other boats?—No special charges, because the charges were fixed in 1760 when tugs were not foreseen.

2216. Do you charge for tugs whether carrying cargo or not?—Not at present; we want to charge them now, because this is the first time the question has arisen.

2217. I thought the only question was the difference between tugs carrying cargo and tugs not carrying cargo?—That is the difference between the Board of Trade provision and our amendment.

Mr. *Compton Smith.*

2218. These Rochdale tugs are really barges of about 14 feet beam, supplied with steam power, which carry cargo as well?—Yes.

2219. If this Table is adopted as it stands, you would not be able to charge for a tug; qua-tug which may be carrying cargo?—No.

2220. The whole point of our amendment is that you should be allowed to charge for a tug carrying cargo, because a tug carrying cargo does no less injury to the banks than if it did not carry cargo?—That is so. If our amendment be not granted, our present saving would be taken from us and put into the pockets of somebody else; we are saving this way, we are towing 15,000 barges a year, we have towed all our own, and an equal number of other people's, they have paid 22*s.* 6*d.* a boat for towage laden, and 17*s.* 6*d.* a boat, if light. That includes, not only our cost of 11*s.* for the tug, but a large contribution towards the expenditure we have gone to. Now, if other people put on cargo-carrying boats and do their own haulage, half of our boats would be idle, and those people would be able to tow for 11*s.* a boat, and we should not have the saving, of which I have spoken, which is a return for our large outlay.

Mr. *Richardson.*

2221. Are the Rochdale Company's boats at liberty to come on your canal?—Yes, we do not wish to prohibit them. I do not think we could prohibit them.

2222. Are the Rochdale Canal Company's boats in the habit of coming upon your canal?—Yes, constantly.

Mr. *Compton Smith.*

2223. You want to prevent them taking all the profit and paying none of the loss in respect of damage to the banks?—Yes.

2224. You were asked by Sir William Houldsworth as to your present charges, you did promote a Bill in the year 1892 for the purpose of enabling

Mr. *Compton Smith*—continued.

enabling you to charge for tugs and for steam barges?—Yes.

2225. Tugs and steam barges partially laden with cargo?—Yes.

2226. Will you tell the Committee what happened in reference to your proposal with regard to the charging for tugs and steam barges in that Bill?—We proposed a power similar to that which is now sought by our amendment in our Bill which came before Lord Ducie's Committee, and it was urged by the Rochdale Canal Company that it was inopportune for any Committee of Parliament to settle any canal charge just upon the eve of a revision such as that upon which the present Committee is engaged.

Mr. *Cripps.*] I quite agree that it was not gone into then at all.

Sir *Richard Paget.*

2227. Mr. Pember in opening, if I understood him rightly, referred to some liability that tugs were under at present to pay for damage; will you explain to the Committee what that liability is?—The liability to which Mr. Pember alluded is that the Board of Trade propose in the Schedule that we shall be able to charge a reasonable sum for tugs, provided they are not carrying cargo.

2228. I understood Mr. Pember to say that there was a liability to pay upon tugs at this moment?—Under the old law, with regard to damage done, it is impossible to ascribe special damage to a special damage.

2229. Then is there a liability to pay now?—It is sought to be created by the Schedule.

Chairman.] The liability was a liability arising out of that case which was referred to, was not it?

Mr. *Compton Smith.*] I should suggest that that case does enable the canal company to charge for damage done, or to bring an action or get an injunction for the damage; but when the canal company uses tugs itself it is impossible to ascribe any particular item in the damage done to the passage of any particular tug; therefore the canal company are in an unfortunate position.

Mr. *Cripps.*] We do not agree upon the law; that will be a matter of discussion.

Cross-examined by Mr. *Cripps.*

2230. Precisely the same point that you are raising now was raised last year as to the Leeds and Liverpool Canal?—I do not know. I do not remember it.

2231. After full discussion and inquiry, and Sir Courtenay Boyle stating the views of the Board of Trade upon the special charge you now ask for what was refused?—It may be so.

2232. Assuming you got a special charge in your case it would be a special charge which up to this point it has not been allowed in any other Schedule at all?—I believe that is so. I believe there is no case like ours to justify it.

2233. We will go into the particular case in a moment. Apart from the law, up to the present time you have received the tugs of the Rochdale Company without objection, and no charge has been made in respect of them?—You are wrong to say that we have done it without objection.

Mr. *Cripps*—continued.

2234. Without legal objection. You have never tried to stop them from using the canal?—No, when we found the Rochdale Canal Company introducing the tugs without a previous notice, we began to review our position. We saw that they were going to do damage, and so we spent a good deal of time and money in ascertaining our legal position. Having ascertained that (it would be rather tedious to recount to you) we were advised that the best thing would be to take the thing as a common sense subject upon its merits to Parliament, and ask them to allocate the charge proportionate to the advantage obtained by the boats, and the damage done to the canal. We went to them two or three years ago, and they sent us to you.

2235. In other words, after taking their advice you did not stop the boats coming, and did not make the special charge?—We did try to make a special charge; we went direct to Parliament the next year.

2236. As regards your present legal position, you do not seek to stop the boats, you make a special charge?—We took what our own advisers recommended.

2237. And they advised you that if you wanted the power you must go to Parliament, which you did in 1892?—Now you are going into the advice and I will give it to you.

Chairman.] You need not go further into it.

Mr. *Cripps.*

2238. You say, taking your own figures, that to make all these alterations that you made as regards your banks, the capital sum would amount to 160,000*l.*?—Yes.

2239. As regards the 160,000*l.*, a very large amount was spent, as you told us, before the Bridgewater Canal was taken over by the Manchester Ship Canal?—Yes.

2240. About what proportion of the 160,000*l.* was spent before the Bridgewater Canal was taken over by its present owners?—About five-eighths.

2241. Therefore since the present owners have taken over the Bridgewater Canal it will be about 60,000*l.*, taking your estimate?—At the end of the reconstruction.

2242. Now dealing with your estimate, you say the advantage to you as regards haulage is 7,500*l.* a year?—If our amendment is passed, not otherwise.

2243. I do not take whether the amendment is passed or not. I take the figures that Mr. Compton Smith gave to you, 15,000 boats, on which there is a saving of 10*s.* a boat, which comes to 7,500*l.*?—I told Mr. Compton Smith 10*s.* was the extreme figure. I think 8*s.* is the correct figure?—Eight shillings is the figure which we save per boat in cost of haulage, 15,000 would be 3,000*l.*

2244. No, 8*s.* on 15,000 would be a great deal more than 3,000*l.*?—£6,000.

2245. If I take the figures you gave, we have, as regards horses, 25*s.* the cost full, and 15*s.* empty, ten hours, and as regards steam, 11*s.* in

Mr. *Cripps*—continued.

eight hours?—I gave 21*s.*, not 25*s.* as the initial figure.

2246. You gave 25*s.*?—Twenty-one shillings.

Chairman.] Twenty-one shillings is what he said for horses.

Mr. *Cripps.*

2247. I will take it from you as 8*s.*; then the saving to you as carriers would be 6,000*l.* a year?—No, not as carriers, as carriers and haulers of other people's boats.

2248. When you haul other people's boats, you act as haulers or carriers of the boats?—Not as carriers.

2249. You act as haulers?—Yes.

Chairman.] Not as carriers.

Mr. *Cripps.*

2250. They might or might not, but you Grace, if they are hauling, they would not be acting as carriers (To the *Witness.*) You say when this discussion arose before the Board of Trade, apart from any question of extra charge, if the matter was arising over again you would have advised for the purposes of your own canal company, that they should make this alteration in the banks of your canal; is that so?—It is a hypothetical proposition which has not arisen, and I cannot say what I should have advised.

2251. It is hardly hypothetical. With your experience for your own purposes generally, do you think for the saving you might have as carriers or haulers, that you would advise again this expenditure to be made of 160,000*l.* on the Bridgewater Canal, apart from other portions altogether?—You mean to say, if our canal were now as it was in 1872, would I spend 160,000*l.* for our own purposes?

2252. Yes?—No, I should not do it without first taking the opportunity of seeing that everybody who was going to participate would bear a portion of the cost, neither should I expend my capital in building or buying 26 canal tugs when I know that one-third, or half at the outside, would serve my purpose.

2253. What you ask for here is an undue preference in your favour as a carrier. I do not deal with the haulage point, but where you act as carriers?—Yes.

2254. Do you think it right that the owning company, whether a canal or railway company, as the case may be, should ask for undue preference in their favour as against other carriers?—I am sure it is right, and I am sure it is not an undue preference.

2255. I thought you said it was an undue preference?—No, I beg pardon.

2256. Suppose you are carrying goods yourselves from Runcorn to Manchester by steam haulage in a particular case, why do you want a special charge upon the steam haulage when it is provided by somebody else?—That is what I have been endeavouring to explain. The person providing the steam haulage will pull my banks down or deprive me of the benefit I now get in hauling his boat, and it comes to the same tning, one way or the other.

2257. Take the case of a railway. No doubt a locomotive necessitates a certain amount of repair of the permanent way as

Mr. *Cripps*—continued.

against the owning company, but it does not enable the owning company to make a special charge as against a stranger which they did not make in their own case. It is a question of degree I admit?—I do not follow you.

2258. The Rochdale Canal at the present time, as you say, do use the Bridgewater Canal considerably for steam haulage purposes?—Yes.

2259. They use it as carriers, but not as haulers?—They use it as haulers of their own barges.

2260. They use it either as haulers or as carriers?—Yes.

2261. Just as you do yourselves?—Yes.

2262. There is no difference as regards user, whether it is their or your user?—No.

2263. You are entitled to charge under your Schedule for the passage of tugs not carrying cargo upon the canal?—Yes.

2264. When the tugs are carrying cargo, you get a charge on the cargo carried?—Yes.

2265. And the effect of this, when a tug is carrying cargo, is to place steam haulage as regards charge upon the same basis as horse haulage?—If you mean we charge them the toll for the same quantity of goods, yes.

2266. And on the same basis, because you do not charge for any damage the horses may do to the tow-path the only charge you make where cargo is carried by horse haulage is in respect of cargo carried?—You want the damage to the tow-path to be a set off.

2267. I do not suggest anything. I only mention the fact?—Quite so.

2268. What we suggest is that when the haulage is by tug, there shall be no special charge for steam haulage, but that you should charge upon the cargo carried?—Yes.

2269. But in the particular case in the Schedule, where the steam-haulage may differ from the horse-haulage, that is, where tugs go not carrying cargo upon the canal, you may make a special charge?—That is according to the Schedule.

2270. And according to every Schedule up to this point?—I believe it is so.

Cross-examined by Mr. *Darlington.*

2271. One point with regard to this case; your canal is not the same in proportion as the Ashby-de-la-Zouche Canal is?—Unfortunately I have no knowledge of the Ashby-de-la-Zouche Canal, or of the physical features.

Chairman.] He says he has no knowledge whatever; surely it is useless going on with it.

Mr. *Darlington.*

2272. But I can put the point to him, your Grace. I have the Canal Returns for 1888, and I see the Ashby-de-la-Zouche Canal is there returned as 8 feet 3 inches in width. Your canal is considerably wider than that?—Our canal is for boats of 14 feet 3 inches in width.

2273. The effect of steam haulage upon a broad canal would be less than on a narrow canal?—Not necessarily.

2274. You think not. At all events, the circumstances are not the same?——

Chairman.]

Chairman.] We have not got this canal before us. What is the use of referring to it?

Mr. *Darlington.*

2275. There is one other point upon the facts in this case. The Report of the Commissioner who was appointed stated that the injury was due to the wave upon the banks of the canal. In the Master of the Rolls' judgment he distinguished the wave, first, that due to the propelling of the boat; and, secondly, that arising from the action of the propelling apparatus itself. He represented that the latter did not of itself at any speed give rise to any wave injurious to the banks of the canal?—Yes, but I can quite imagine that it was a paddle-boat in 1859, and if so I should agree with him. These are not paddle-boats; they are screws. Screws do not do damage by means of a surface wave at all; it is the undercutting of the earth banks.

Chairman.

2276. It is the difference between paddle and screw boats?—It is improbable that screw boats be tried in 1859 upon a narrow canal. I think they were in the future then.

Mr. *Darlington.*

2277. You admit the circumstances are not the same upon your canal as upon the Ashby-de-Zouche Canal?—They are not at all analogous.

Chairman.] This gentleman says they are not at all the same, because the circmstances upon his canal are much worse than in the case quoted of the Ashby-de-la-Zouche Canal, because one was a paddle steamer not doing much harm, and the other a screw steamer which does a great deal.

Mr. *Darlington.*] It does not say it was by a paddle steamer; it is mere surmise.

Chairman.

2278. Surely our own knowledge on the subject is that in the year 1859 there were no screw steamers upon the canal?—I know that about that date an experiment was made upon the Bridgewater Canal of steam with paddle-boats.

Mr. *Richardson.*

2279. In 1859 there were screw tugs upon the Aire and Calder; you are mistaken, I think?—I know in 1859 or 1860 the Bridgewater Trustees made experiments themselves with a paddle tug called the "Jack Sharp"; it was not a great success; and, as I said, the Ashby-de-la-Zouche Canal did the same thing at the same time.

Mr. *Darlington.*

2280. With regard to the expenditure, you never, before you came to this Committee, allocated it as capital expenditure?—No; I am unaware that I have done so now.

2281. It is merely maintenance expenses, is it not?—It is a question of opinion; you know the whole facts.

2282. The banks tumble down upon other canals besides those having steam haulage?—Yes; only they tumble down two and a-half

Mr. *Darlington*—continued.

times as fast as they ought to do, consequent upon the use of steam haulage.

2283. Can you suggest to me any reason why you should get the whole advantage out of the steam carriage?—No, I do not think we should get the whole advantage. It would be a very fair thing that we should divide it. If, by reason of our large expenditure, people owning boats can go more quickly and with greater certainty, and can make a great saving, they can out of the larger margin shall pay us for the damage they do. It is a matter for compromise, and any tariff to be drawn up by the Board of Trade in consequence of the acceptance of this amendment should divide the advantages equally.

2284. You agree with us that your amendment as it stands is rather vague?—It is vague, owing to the nature of the thing. I am prepared to make it definite. We agreed a tariff with four out of five persons using the canal; and one person objecting causes us to be here.

Mr. *Spicer.*

2285. You told us that in the year 1874 you commenced to use these steam tugs?—Yes.

2286. What year did you find it necessary to commence strengthening the banks?—One thousand eight hundred and seventy-five.

2287. One thousand eight hundred and seventy-five, the next year?—Yes; and in 1874 we only used two tugs, so that the fact became patent to us immediately.

2288. Has the expense of 112,000*l.* been spread over that period?—Yes.

2289. You have had a gang of workers always engaged upon the work of strengthening the banks where necessary?—Yes, and the maximum number of boats, as I told you, amounted to eight. Now we have reduced it to five in work, so that we have broken the back of it. It is a little less than when the times were at their worst.

2290. In what year did the Rochdale Company commence using them?—In 1891, I think; November 1891.

2291. Had your company desired to put on steam tugs before 1891?—We lent a tug to the Bridgewater Trustees, with a view to experimental working, with the expectation that, if it succeeded, they would either hire from us or build some of their own.

2292. What year was that?—At least four or five years previous to 1891.

2293. At that time you had no objection to somebody else using steam haulage?—If they would pay us something. We charged the Bridgewater Trustees for the tug.

2294. When did you come before Lord Ducie's Committee?—One thousand eight hundred and ninety-two.

2295. Between 1891 and 1892 you had been raising the question with the Rochdale Company?—Yes; going to Lord Ducie's Committee was the immediate outcome of our difficulty.

Re-examined by Mr. *Compton Smith.*

2296. My learned friend, as I understood him, tried to draw a comparison between the damage done by horse haulage and the damage done by steam haulage?——

Chairman.] That was the argument.

Mr. *Compton Smith.*

2297. It was put in the form of a question, as I understood; when steam haulage is used, horse haulage is not used: therefore it sets off the saving by the non-user of the horse against the damage done by the user of steam?—Yes; there is no saving of the tow-path worth speaking of. Mr. Cripps did not question my statement of the damage done by tugs and steam barges.

2298. As a measure of the difference between the two damages, the capital expenditure and your annual expenditure, you have submitted to the Committee?—Yes: that is the best illustration.

The Witness is directed to withdraw.

Mr. *Cripps.*] On behalf of the Rochdale Canal I will put before the Committee what our objections are to this charge; and if the Committee desire it I will call evidence upon it. My learned friend Mr. Pember argued as to what we were doing at the present time, with regard to the Rochdale Canal, that the other carriers upon the canal were doing the same special form of damage, and in respect of that special form of damage, no exceptional charge could properly be [illegible] against it. It depends upon two points. First of all, the question arises as to the existing liability as between the owners of these steam craft or tugs, on the one side, and the owners of the waterway on the other; and my learned friend Mr. Pember has suggested, with reference to the case of 1859, that at the present time the Rochdale Canal could be enjoined or prohibited using their tug-barges upon the Bridgewater Canal, or, according to the amendment, should be liable for special damage done as regards the canal bank. Now, the case in 1859 does not apply to the conditions of the Bridgewater Canal at the present time at all. The question there was as to the Ashby-de-la-Zouche Canal, whether, as regards that particular canal, a special steam tug could be used, having regard to the damage to the banks of the Canal. But when you have the Bridgewater Company themselves using steam towage on their own canal, they cannot deny any other body the same facilities as those given to themselves. That is, in respect of the law with which the injunction of 1859 had nothing to do at all. If an old tramway company was using horse haulage it might have a very good case against any outside trader asking that they may use steam haulage or locomotive power; but when the owners themselves use steam haulage or steam locomotive power, it cannot be suggested that they can object to any outside body having the same privilege that they grant themselves. That is the whole basis of all modern legislation as regards undue preference and reasonable facilities. It may be fairly admitted now, after what Mr. Collier said, that though the question of charge may arise, it cannot be suggested that any public body with a horse towage can refuse to allow other people to use the same means of haulage that they use themselves. That would go to the whole basis of undue preference and questions of that kind.

The only other question that arises would be this: Can it be said at the present time that for using this canal there is any existing power of making a charge? No charge has ever been made. A certain opinion was taken by Mr. Collier, and the owners of the Bridgewater Canal, which eventuated in their coming to Parliament in 1892, as they are coming now, to ask that they might make a charge. Nothing can be more conclusive to show that at any rate they had no power; because if they had got it they would not have wanted the Act of 1892, or the proposal that they ask for at the present time. With submission, it really would be inaccurate that they could make this charge without they had some statutory power to make it; because all these companies whether railway or canal companies are creatures of Statute, and they can only make the charges which the statutes authorise; and it has not been suggested, nor could it be, that any charge could be made at the present time as regards steam haulage. Then what is the position? You have the Bridgewater Canal in the same position as all other canals throughout the country apart from the question of special damage, which I will deal with namely, they are unable to have steam haulage upon their canal, where they use it themselves, as well as horse haulage; and in respect of steam haulage they cannot make any exceptional charge. Your Grace will recollect that last year, when the question was raised in the case of the of the Leeds and Liverpool Canal, precisely the same question was raised as is being raised now on behalf of the Bridgewater Canal. In that case, and in all other cases, up to this point, this special charge, or exceptional charge, has been refused to the canal companies asking for it. The only possible special feature that there can be in this case is the feature which Mr. Collier has brought forward. Now, your Grace, I suggest that these figures speak for themselves as showing that no possible special case can be made. I do not care which figures we take. Take the £40,000... or the £12,000... which is the expenditure suggested up to this date; or we may take the £6,000... which is the suggested expenditure since the Bridgewater Canal has been taken over by the Manchester Ship Canal Company, because we may assume that everything before that date was taken into consideration in the terms of transfer from the Bridgewater Canal Company to the Manchester Ship Canal Company. But now let me take all this series of figures, and see how the argument tells against Mr. Collier, whichever one we take. First, let me take the £12,000 which they have expended up to the present time. Of course, it has been an expenditure not all at one moment, but a continuous expenditure over a series of years, and you have to compare the advantage at a particular date with the expenditure at that date. Now we have it that at the present moment, and that is a sufficient test to take, they have spent, according to their own case £12,000. If we put that at 4 per cent., which of course is a very large percentage nowadays for an expenditure of that kind, that is £480 a year. The advantage they derive according

cording to my learned friend Mr. Compton Smith for that expenditure is 7,500*l.* a year, that is 15,000 boats at 10*s.* each; and according to what Mr. Collier said in the box (and I will accept his correction), they are making 6,000*l.* a year if they are making 8*s.* as regards each particular boat. Therefore they are in this very excellent position; they are actually getting on a most extensive system against the Rochdale Company 6,000*l.* or 7,500*l.* a year for their own advantage, against the expenditure of that money which at the present time is not more than 4,480*l.* a year; that is, if you attribute the whole of this to capital purposes. And, as Mr. Collier said very frankly, for their own purposes and quite outside the Rochdale Canal Company, or any other carrier, they would have made this expenditure, because it would have been an advantageous commercial transaction for them. They have saved more in haulage than the additional cost thrown upon them.

Chairman.] I do not think he went that length.

Mr. *Cripps.*] I did not say he went that length.

Chairman.] You say he did.

Mr. *Cripps.*] I said I thought it was the underlying inference. Mr. Collier did not go quite so far as that; but I do not think he negatived it. But what Mr. Collier said is before the Committee. But apart from Mr. Collier's opinion, I take what they have actually done, which is better than the opinion of any witness in the box. Then there is the question of how much you put down to revenue and how much to capital account. But taking his figures, and putting it all down to capital, you have an expenditure of 112,000*l.*, putting it at 4 per cent. that is 4,480*l.* a-year. They are getting at the present moment, as against that, a saving either of 6,000*l.* a-year, or, if I take my learned friend's figure, 7,500*l.* a-year. Therefore, quite outside Mr. Collier's opinion, it is obvious that they have made a favourable commercial transaction in improving the banks of this particular canal. If they go on with this expenditure in future, amounting to 160,000*l.*, there is no doubt they will get a continuously increasing benefit, because the steam haulage is continually increasing against the system of horse haulage. The system of horse haulage has now in substance gone by altogether. But there is another point of view from which to look at these figures. Since this particular company have taken it over, they have only spent about 60,000*l.*, and it is fair to say that the expenditure before that date was taken into consideration in the terms of transfer; that is to say, the company took over a better canal, because the preceeding expenditure had been made upon it. Then if we look at the special additional expenditure since that date, we have only the sum of 60,000*l.* if we go on to the future. That is the position so far as regards this particular company. They have made out, I say, no case for exceptional treatment, and they have made out no case why the Bridgewater Canal should be treated differently from any other canal in this country.

What is the position of the Rochdale Canal? We are a much poorer body and a smaller body; our whole capital is under 500,000*l.*; but finding that our trade is going every day, we set up the business of carriers as well as toll-takers. We took power to raise 48,000*l.* of debenture capital, and spend 15,000*l.* or 16,000*l.* of it in building these particular steam-tug boats. And nothing can be harder upon us after we have expended that sum for the purpose of carriage or haulage along the Bridgewater Canal than that a special charge should be put on as against us, a special charge which does not exist at the present time. We are entitled to use the canal at the present time and there is no such charge at all. That is in accordance with principle, because the charge in all these cases is for cargo, whether you have steam haulage or horse haulage. We, the Rochdale Canal Company, have incurred this expenditure not as toll-owners, but for saving either as carriers or as haulers, and they have got the advantage of it. If they were merely toll-takers at the present time as regards the Bridgewater Canal, they would not have incurred this expenditure, because it would not have been of any advantage to them as toll-takers, but they have incurred it as carriers or haulers and made their money out of it; and having made their money out of it they cannot put a charge upon other carriers and haulers beyond what they put on themselves. We hear they can carry from Runcorn to Manchester at 11*s.* They want, as regards us, to say we do not want you to do except at 14*s.* or 15*s.* What would be the effect? The effect would be driving us off, and having the monopoly of carriage themselves. That is what they are aiming at, and that is what I said was an undue preference in their favour. That, of course, was the general consideration which weighed when the same matter was discussed last year. Where you have a tug empty, not carrying cargo, there is a distinction; you have no haulage; you have no payment for the cargo; you use the water in the locks, whatever it may be, from time to time; but when you have cargo why should there be any difference in the two cases, and why should the Bridgewater Canal, because they have undertaken the business of carriers or haulers, under which they make a profit of 7,500*l.* or 6,000*l.* a year, seek to put a special tax on their competitors in order that we shall be driven out of this carrying or hauling business? Your Grace, that is the underlying principle here? As I say, it is not a toll point; it is a carrying point really, and there is no case in this country where any railway company is entitled to make a special charge from the locomotive or haulage power of other people upon their line. It really would be, as I suggest, a most unfortunate principle, and particularly as against the Rochdale Canal. Why should we be put in a worse position as carriers or haulers than we are in at the present moment. If the Committee will refer to the proceedings of last year, they will find it was discussed and explained by Sir Courtenay Boyle at page 238 ——

Chairman.] I do not think we can go into the proceedings of last year without going into all the circumstances; we have enough to do to deal with questions were we have the evidence before us.

Mr. *Cripps.*] I was only suggesting this: where you have a general point of principle running through all the canal Schedules, and in a particular case an alteration is asked for, there should be proof to bring about such an alteration.

Chairman.] I am told by one of the noble Lords, who was on the Committee last year, that what is being referred to by Mr. Cripps was not in consequence of the decision of the Committee, but the parties themselves came to an agreement.

Mr. *Cripps.*] I will take what your Lordship says upon that point. I thought it was an actual decision; I take it that after discussion a wise feeling prevailed on both sides.

Chairman.] It is not the decision of the Committee.

Mr. *Cripps.*] The result is this, that in every Schedule settled by the Committee or by the Board of Trade up to this point there has been no such charge, therefore, I think I am justified in saying that, if a special charge of this kind is asked in a particular Schedule, you should look to see the special reasons why it is asked. The general principle no doubt is the other way. We do not find this charge in any existing Schedules. Then the case comes to be this: What is the special reason which the Bridgewater Canal have brought forward? The special reason as I understand, is that there is undue expense. The answer to that is this; I have shown through Mr. Collier, that whatever they have done has been profitable to themselves, and quite outside the Rochdale Canal it has been a profitable transaction. They have spent so much, and they have got a larger return. Under these circumstances, no special circumstances being shown in this case, it would be very hard upon the Rochdale Canal Company that this amendment should be adopted. We have spent this money and put these steamers on for carrying purposes, and the 15,000*l.* or 16,000*l.* would be so far wasted capital. It is not right that they should be allowed to make a charge of this kind which gives the owning company, when acting as carriers, an undue preference as against other companies wanting to act as carriers upon the same line of canal. I will now call my evidence.

Chairman.] A remark which you made at the beginning of your address I did not quite understand. I understood you to say that because the Bridgewater Canal people ran steamers over their canal, therefore the Rochdale Canal people ought to be allowed to run with their steamers over the Bridgewater Canal without any payment.

Mr, *Cripps.*] They would not run over the Bridgewater Canal without payment, because they would pay the cargo charges. I am glad you asked me that question. That was not quite what I meant. What I intended to say was this, that where the owning company, whether a canal company or a railway company, uses steam they cannot prohibit an outside carrier or hauler from using steam. That is a different principle from the case of 1859. Then the question comes, what charges are put upon outside people coming upon the canal or railway, as the case may be, At the present time the Bridgewater Canal are only entitled to make charges as regards cargo carried; they are not entitled to any charge as respects haulage alone as distinct from the cargo carried.

Chairman.] But then the tugs of the Rochdale Canal are sometimes carrying goods.

Mr. *Cripps.*] Yes. When they are carrying goods, the owning canal company makes a charge on the cargo carried.

Chairman.] Not on the tug?

Mr. *Cripps.*] No, not on the haulage-power, but on the cargo.

Chairman.] The haulage-power is part of the carrying-power.

Mr. *Cripps.*] Yes. It does not matter in principle whether you have a cargo on board of some boat hauled by steam-power, or on board of a boat hauled by a rope; the charge in either case is on the cargo.

Chairman.] You say that the Bridgewater Canal have a right to charge the Rochdale Canal for using their canal by means of steam tugs and barges.

Mr. *Cripps.*] Certainly, where they carry cargo; there is no question upon that. The charge at the present time is not on the haulage-power, but on the cargo carried. For instance, in the case of one of these tugs or steam cargo boats coming from the Rochdale Canal on to the Bridgewater Canal, the charge would be on the cargo carried, not the haulage-power. Whether the goods were carried by steam or by horse-haulage the charge would be merely on the cargo; and on an empty tug with no cargo they could not make a charge at the present time. Now the alteration in the Schedule is in their favour; in the future they will be able to make a charge on an empty tug boat. You have those words on page 22. That is a change in their favour; but when a boat is carrying cargo we want the matter left as it is now. The charge they can make will be a charge on the cargo carried. It is not to be supposed that where we put goods into a steam vessel, or they are carried by a tug, the cargo does not pay; the cargo pays according to the tonnage and according to the class in which it is placed.

Chairman.] But I understood the contention of Mr. Pember was that they ought to be paid for the damage done by the steamer going down the canal.

Mr. *Cripps.*] At the present time we have a right to use the Bridgewater Canal by steam towage; and the charge on cargo, which is made at the present time, is the compensation they get for the user of the canal, plus the damage, whatever it may be. That is what they have a right to at the present time; there is no question about that.

Lord *Clifford of Chudleigh.*] I do not quite follow your argument why, because the Bridgewater Canal use tugs upon their own canal, therefore they are debarred from prohibiting the Rochdale Canal from using them.

Mr. *Cripps.*] That is a question of common law as regards carriers, and a matter that is provided for under the Acts of 1854 and 1888. The owners of a waterway or railway cannot treat their own traffic on more favourable terms than the traffic of outside parties. I do not think my learned friends will dispute that as a proposition of law.

Lord *Clifford of Chudleigh.*] That is all I wanted to know.

Chairman.] Now will you call your witness.

MR. CHARLES ROBERT DYKES, is called in; and, having been sworn, is Examined as follows:

Mr. *Cripps.*

2299. You are the manager of the Rochdale Canal?—Yes.

2300. As well as knowing the Rochdale Canal, you know very well the Bridgewater Canal?—Yes.

2301. When did the Rochdale Canal Company first purchase steam boats or steam carrying boats?—In 1888 we commenced carrying, in October 1888, and we bought steamers about that time.

2302. You were entitled to do that under the Act of 1845?—Yes.

2303. A large proportion of your Rochdale Canal traffic is between Liverpool and places on the Rochdale Canal?—Yes, the bulk of it.

2304. That is to say, the bulk of it would pass over the Bridgewater Canal system?—Yes.

2305. What is the extent of your traffic?—Last year we carried 120,000 tons of general traffic.

2306. How much of that would go over the Bridgewater Canal?—75 or 80 per cent. of it, certainly a very large proportion of it.

2307. One hundred thousand tons or a little less?—Yes.

2308. Did you adopt this system of steam towage or steam carriage after full consideration?—Yes. We are the latest folks in the field in carrying by steam barges, and we went in for it with the object of maintaining the traffic on the canal; and before we started we looked round to see what power we had. We referred to the Act of 1845, which gives power to any canal company to carry by means of steam or any craft over its own canal or any other canal.

Chairman.] Is your right to do that disputed?

Mr. *Cripps.*] I do not want to go into the question of right.

Chairman.] Do not let us go into questions that we need not go into.

Mr. *Cripps.*

2309. How many steam barges did the Rochdale Canal Company purchase?—We bought two at first to try the experiment, and we have since built 15.

2310. You have a model of one of them;—Yes. I will put a model before the Committee as an object lesson. Two were used experimentally; those are now obsolete and done with, and we bought 15 new ones up to date.

2311. What expenditure has the Rochdale Company incurred on these new steamboats?—They cost over 1,000*l.* each.

2312. So the expenditure on the 15 would be 15,000*l.*?—Yes.

Mr. *Cripps*—continued.

2313. Have you the model here?—Yes. (*The model is produced and shown to the Committee.*)

Witness.] This is correctly proportioned. There is a radical distinction between that boat and the craft which the Bridgewater Canal own, which are called tugs. The tug which the Bridgewater people own is merely a tug, and does nothing but carry its own propelling machinery.

Mr. *Compton Smith.*] There was no cross-examination of Mr. Collier upon this.

Mr. *Cripps.*

2314. If my learned friend likes he can recall his witness. (To the *Witness.*) What cargo does that carry?—It will carry 50 tons at 4 feet draught.

2315. At what pace does it go?—On the average the speed does not exceed three miles an hour; in fact, it would be under three miles an hour. Under any circumstances the speed would not get up to four miles an hour; they have not sufficient power.

2316. Do they go substantially at any greater rate than boats hauled by horse haulage?—Not at a substantially greater speed.

Mr. *Richardson.*

2317. What do you say is the rate of speed of them?—The rate of speed would possibly be three miles an hour, not more.

Sir *William Houldsworth.*

2318. Would they carry 50 tons and also act as haulers?—Yes.

Mr. *Richardson.*

2319. Would they go slower when loaded than when light?—There would be no practical difference, I think.

Mr. *Cripps.*

2320. At the present time the charges made for the use of the Bridgewater Canal are charges proportioned to the cargo carried?—Yes.

2321. A proposal is made that there shall be a special charge for steam towage or steam power in addition to the charge on cargo?—That, I understand, is the proposal.

2322. When a vessel is empty then there is no objection to what is proposed in the Schedule?—If running about the canal carrying nothing else; but the practice is this: the tolls charged upon the cargo include the going back empty. If one of these boats going back empty happens to have a horse boat going in the same direction, it is utilised instead of the horse for hauling it on the Bridgewater Canal; otherwise it is not used as a tug empty merely when returning from having

Mr. *Cripps*—continued.

having delivered a cargo. We do not tow for hire; we simply use these boats for helping our own horse boats: they practically take the place of a horse.

2323. Have you ever had any specific complaint from the Bridgewater Canal people as to the effect of your boats upon their banks?—Never, My own theory of the damage is very different from Mr. Collier's; it is this: The suggestion, as I understand, is that damage is done to the banks of the canal by these boats. Now the banks of the canal are at the sides, not in the middle; the screw is in the middle; and I think if any effect in the way of erosion is produced by the screw it would have the opposite effect; it would churn up in the centre and remove the debris to the sides. Instead of damaging the wall it would protect the wall. The damage done I believe to be due to the speed of the boats through the wa er of the bulk of the boat itself; and if you look at a boat going through a canal you will always find a wave immediately from the bow spreading out fan-shape. That is what does the damage, and not the motion of the stern.

2324. Taking into consideration the cost of maintenance and everything, have you found it an advantage on your own system to adopt this system of haulage?—We have not discovered any damage done by these boats, certainly.

Chairman.

2325. You were asked whether you had found any advantage?—The advantage which is reported to me by the engineering department is that the centre of the canal has been improved. That is my own practical knowledge, too.

Mr. *Cripps.*

2326. As his Grace says, you did not answer the question I asked you, though the answer you have given bears on the question. The question I put to you was whether, having introduced this system of steam haulage, taking into consideration the cost of maintenance and everything, you have found it an advantage to your canal, looking to its general commercial position?—It has been an advantage to the canal, not so much in expense; I cannot say very much about saving of expense in working; but the regularity with which we get through our business is very much greater. Before, when the haulage was done by horses, the man in charge of the horses would leave them and go into a public-house, and the whole show would be stopped; now they are on board and they have to go, and the work is very much better done.

2327. Taking everything into consideration, the damage on the one side and the advantage on the other, you say the general balance is in favour of advantage?—Certainly.

2328. Will you state to the Committee why it is you object to the proposal that there should be a special charge made against you for tug power or steam haulage on the Bridgewater system?—It would be a severe tax on the trade to start with. They get an advantage from working with these boats. They carry a larger cargo than a horse boat of corresponding size. They are built of steel to give capacity to compensate for the engines and boilers on board, and they carry a larger cargo than a corresponding horse boat.

Mr. *Cripps*—continued.

Mr. *Richardson.*

2329. What is the light draught of these boats?—1 ft. 6 or 1 ft. 8.

2330. Do they run on an even keel?—Nearly.

Lord *Hawkesbury.*

2331. Do they run alone or do they tow barges?—They only tow one or two at the very outside. The power of these boats is about eight horse.

Mr. *Cripps.*

2332. You object to this special charge being put on this traffic by the Bridgewater Canal people?—Yes; it would not bear it.

2333. When you say it would not bear it, do you mean that it would result in your business as carriers or haulers by means of these improved boats being driven off the Bridgewater Canal?—I think so.

2334. I am not talking of your own system, but I am talking about the charge proposed on the Bridgewater system?—I think it would drive our traffic off the Bridgewater Canal.

Sir *William Houldsworth.*

2335. Have you had to go to any additional expenditure on your own canal since you introduced these boats?—No; the average expenditure has been the same for many years.

Earl of *Lauderdale.*

2336. When did you first begin to use these boats?—In 1888.

Cross-examined by Mr. *Compton Smith.*

2337. With reference to the question put to you by Sir William Houldsworth as to damage to your own canal, the banks of your own canal are at a much greater slope than the banks of the Bridgewater Canal?—I think they are.

2338. The Bridgewater Canal banks are up and down, perpendicular, or pretty nearly so?—Certainly; they are more perpendicular than our own since these walls have been put in.

2339. And they were before the walls were put in?—I am not aware that they were.

2340. Are not you aware that the banks of the Bridgewater Canal were absolutely perpendicular down to the spot where they met the bed of the canal?—I think since the walls were put in, the section is different to the original construction of the canal. That is all I can say. That is an engineering question.

2341. I am under this inconvenience, that my own witness was not cross-examined to it, but if necessary, perhaps the Committee will allow him to be recalled. Are not you aware that the old walls, which tumbled down in consequence of the steam haulage, as we say, were vertical?—I was not aware of that fact.

2342. They are vertical now?—To a considerable extent.

2343. And the walls of the Rochdale Canal are at a much greater slope?—Yes.

2344. And

Mr. *Compton Smith*—continued.

2344. And practically paved into the bed of the canal?—No; the Rochdale Canal is in its original state; we have not found it necessary to put any walls in.

2345. Because that which may be described as a rolling bank prevents the effect which is produced on a vertical bank by steam haulage?——

Sir *Richard Paget.*] You mean that the wave runs up the bank?

Mr. *Compton Smith.*] Yes.

Witness.] The whole of the slope is immersed in our canal the same as in any other canal.

Mr. *Compton Smith.*

2346. The disturbance under the water would impinge upon the sloping bank, and the force of the water would run up the bank. There are no waves underneath the water. I suppose you mean that?—Will you be so good as to put your question again.

2347. If the water is disturbed below the surface that disturbance is carried on and impinges against this sloping bank of yours, your rolling bank?—Yes.

2348. And it has less effect, because it is sloping, than it would have upon a vertical bank?—The effect would be the same.

2349. I understand you to say, when a boat like yours is passing over the surface and in the centre of the canal, the disturbance occasioned by the screw impinges upon the bottom of the canal and makes a deep trench there?—It improves it as a waterway slightly.

2350. Because it deepens the canal; it forms a trench in the canal?—Yes, partially.

2351. I will ask you whether this is not the fact: when these walls fall down, do not they fall down, because the foundation of the canal at the bottom of the wall is eroded; that is the first step, is it not?—That is common to all canals, even where there is not steam.

2352. Because the bed of the canal at the foot of the wall is eroded the bank at the back of the wall falls down into the cavity occasioned by this erosion, and the wall falls back upon the bank?—You see that on every canal in England.

Chairman.] I understood the learned Counsel's question to apply to this particular canal.

Mr. *Compton Smith.*

2353. You say it is the case on every canal in England?—Yes.

2354. That is caused, to a certain extent, by horse haulage?—Yes.

2355. By the disturbance of the water?—Yes.

2356. The disturbance of the water which is occasioned by the passage of one kind of boat is, except in degree, very much the same as the disturbance created by the passage of another kind of boat?—Yes.

2357. The disturbance of the water by the passage of the boat along the canal and by the revolution of the screw has the effect of eroding the foot of the wall?—I hardly think so, to any appreciable extent. I think the erosion is entirely a matter of speed.

2358. Have you, yourself, considered the effect

Mr. *Compton Smith*—coutinued.

produced by the passage of steamers along this canal; I mean by any scientific experiment?—Hardly; we have tried to get some information, and we have been rather obstructed.

2359. May I take it that you have no scientific basis for your opinion?—I cannot put any authentic statistics in, or the result of any experiment.

2360. Will you tell me, first of all, in what way you have been obstructed in your endeavour to obtain those scientific data upon which to found your opinion; in what way have you been obstructed by the Bridgewater Canal people?—Personally, I have not been obstructed.

2361. Is there any gentleman who has been obstructed?—Yes, our engineer.

2362. Is he here?—He is not, unfortunately; he left our service and has gone away.

2363. On what occasion was he obstructed?—I have not his Report available now.

2364. What scientific data did he endeavour to get?—He proposed to take sections of the canal at many points.

Chairman.] I do not think you need go on with this, because this gentleman is only speaking about what he imagines was our obstruction to another gentleman.

Witness.] I am bound to say it is hearsay.

Mr. *Cripps.*] I am quite willing to withdraw anything about abstruction, as the engineer is not here.

Mr. *Compton Smith.*

2365. Let me go to this model. I understand that the vessel of which that is a model, goes at the rate of four miles an hour?—By an effort it could be driven, I dare say, four miles an hour.

2366. That would be the extreme pace?—That would be the extreme pace.

2367. When you say when light it goes at the rate of three miles an hour, that is a mistake?—It goes slightly over three miles an hour, either loaded or empty.

2368. What is the draught?—The draught when fully loaded is 4 feet.

2369. Is that aft or all along?—All along.

2370. There is no difference between aft and forward?—No; they go on an even keel.

2371. I think the depth of the canal is about 4 feet 6 to 5 feet 6 inches?—Yes, the model is precisely the same draught when loaded as ordinary horse-boats, the same size and designed to be so.

2372. With regard to the Board of Trade proposal, the Board of Trade proposal, as embodied in the Schedule, is a proposal that tugs should be charged for, "For the passage of tugs not carrying cargo on the canal," "such reasonable sum as the company may think fit in each case to be determined in the event of a dispute by an arbitrator to be appointed by the Board of Trade"?—There is no question about that at all.

2373. So that tugs may be charged for; that is by the terms of the Bill?—Yes, a pure tug, and I should be very sorry to ask that it should not be so. I think it ought to be. A tug that is not a cargo boat and only hauls boats about should pay.

 2374. A tug

Mr. *Compton Smith*—continued.

2374. A tug not carrying cargo, a naked tug, should pay?—I think so.

2375. When your tug is going along the canal with cargo on it, two services are being performed by the canal company. First of all, they are carrying your cargo on their water, is not that so?—We carry on their water.

2376. I mean to say their water is carrying your cargo?—Yes.

2377. And you are making use of their plant, and all that sort of thing?—Not their plant.

2378. Their fixed capital, their canal?—We are using their canal.

2379. And for that you ought to pay on the cargo?—We do pay.

2380. Besides that you are carrying along this canal at an increased advantage to yourself?—It is not the case.

2381. You say it is an advantage to yourself?—Advantage only in one way; it is not a commercial advantage in the sense of being a monetary advantage; it is a more efficient way of doing it in the sense of regularity.

2382. That advantage can be put into money value in some way?—I cannot do that.

2383. You cannot allocate the advantage to any particular account?—We prefer doing it in this way to any other way.

2384. So that you get an advantage by using the tugs?—We save the cost of the horse that would be sent along the towing-path.

2385. And you haul more barges than you would do with the horse?—No. The engineer stands, in relation to that particular barge, as the horse would, and costs about ten times the money or more. We utilise the same horse for pulling another boat if there is a chance; the horse is saved being on your towing-path.

2386. Will you concede that, seeing that you do get an advantage from using the tug barge if, in consequence of your using that tug barge, injury is occasioned to the Bridgewater Canal Company, it would be fair that you should pay for the passage of the barge?—I do not think it would.

Mr. *Richardson.*

2387. Can you give the Committee the average amount these barges earn when fully loaded?—I am afraid I cannot. We utilise them to a large extent for this: ours is a very awkward system to work, and the full loads of traffic that we can get from Liverpool is in two-horse loads. These boats take themselves all over Liverpool and take up part-cargoes, several of these part-cargoes forming an entire load. We then bring it up to Manchester and sub-divide it into the boats going to the various parts of our system.

2388. These steam lighters do not go further than Manchester?—We work them over our system.

Mr. *Richardson*—continued.

2389. You discharge them in Manchester and send them back again?—Yes.

2390. What is the average freight they earn?—That is a very difficult question because, of course, the traffic has various freights, some from Manchester and some from 20 places.

2391. Your manager can show the charges to different places and the different freights?—That boat only performs part of the service of delivery, I could not tell you that.

Sir *William Houldsworth.*

2392. Is the traffic mostly one way with the cargo, or have you return cargoes?—There is much greater loading one way, from Liverpool.

2393. But there is also traffic the other way, is there not?—Yes.

2394. You have not always to bring back an empty boat?—Not always.

Sir *Richard Paget.*

2395. In the Bill, as it stands, there is a charge for an empty tug, that is so?—Yes.

2396. Why should an empty tug be charged specially for, when there is no special charge for an empty boat?—It would probably use the lock, and it would not be fair for a boat having to use the lock to work in that way. To get to Liverpool, that boat has to go through the locks, the tug would have to do the same thing, towing boats the whole way from Manchester to Liverpool. Those are utilised in this way. The Bridgewater Canal is worked in another way; they have small narrow tugs on the canal, working from Runcorn to Manchester, and in the estuary of the Mersey they have larger tugs taking a train of boats; those would take a train of boats to Liverpool, or *vice versâ*.

2397. Is not the reason why the charge is made that in one case you are dealing with a steamer and in the other case you are not?—That is the object of our proposition.

2398. As it is at present laid down in the Bill?—I cannot say what was the history of it. As I understand it (it is only my own opinion), the object was to prevent folks putting on mere tugs to work traffic on the Bridgewater or other canal for hire. It would be a very unfair thing to do, and I should not suggest it. That is my view of the object of the clause.

Lord *Clifford of Chudleigh.*

2399. If this clause was struck out about the empty tug, would not the empty tug come under the empty boat clause?—I think it would; that we should not object to.

Re-examined by Mr. *Cripps.*

2400. The amendment upon this point is that the company may charge for the passage of tugs in either case?—Yes.

The Witness is directed to withdraw.

Mr. WALTER SOMERSET, is called in, and, having been sworn; is Examined, as follows:

Mr. *Cripps.*

2401. YOU are Assistant Manager of the Leeds and Liverpool Canal?—I am.

2402. Last year your company asked for an amendment similar to what the Bridgewater Canal Company now ask for?—We did.

2403. Whether it was refused or withdrawn, you were given a Schedule without the amendment in it?—Yes, we were.

2404. Since that time, have you had further experience as regards the effect of such an amendment as the Bridgewater Company propose on the carriage of traffic on canals by steam power?—We have.

2405. Will you just explain to the Committee what your experience has been as bearing upon this point?—Before the beginning of this year we did not trade on any other canal with our boats. Since the Manchester Ship Canal has been opened we are running boats from the Yorkshire district into the Manchester Docks, and we have found that with the charge that the Ship Canal Company are going to put on the cargo-carrying tugs we should not be able to work the traffic at a profit, or hardly work it at a profit, and we have learnt that it would seriously handicap the carrying trade. Our boats are cargo-carrying tugs.

Mr. *Cripps.*] I do not understand that upon this point there is any difference between a cargo-carrying boat and a tug, because their amendment only deals with tugs.

Chairman.] Your witness was speaking about cargo-carrying boats?

The *Witness.*] Yes, our tugs that we use carry cargo in the same way that the Rochdale Canal do.

Mr. *Cripps.*

2406. Your boats are similar to the boats used by the Rochdale Canal?—They are much lighter built and not hatched.

2407. But they carry cargoes as well as being used for tugs?—Yes.

Sir *William Houldsworth.*

2408. Do they go at greater speed than the Rochdale boats?—When loaded and towing a couple of boats, they travel about two and a-half miles an hour on our navigation; when they are light they can go at considerably greater speed than that.

Mr. *Cripps.*

2409. What has been your experience; have you found any exceptional damage in your case, such as is said to take place in the Bridgewater case?—There is certainly damage, but I agree with Mr. Dykes that the bulk of the damage is caused by the wave from the bows, and you get it in a horse boat to a lesser extent.

Sir *William Houldsworth.*

2410. What speed do your boats go at?—They would go loaded at two to two and a-quarter miles an hour.

2411. Then they are a shade under the speed of the cargo boats with two loaded boats?—Yes.

Mr. *Spicer.*

2412. At what pace will these boats go when they are not loaded?—Upon some of the deep ponds the men can get the propellors weighted, and they get up a speed of six miles an hour, but the speed can be regulated by bye-law.

2413. Your contention is that up to three miles an hour they do not do any damage on your own canal?—They do not do any more damage than the horse boats.

Chairman.

2414. You mean a steam tug going at the rate of three miles an hour does not do more harm than a boat drawn by a horse at two miles an hour?—There is no appreciable difference in the damage done to the banks.

Lord *Herries.*

2415. Is there any regulation upon your canal as to what constitutes a cargo?—A tug will take, dead weight, 25 tons.

2416. Would two tons be considered a cargo?—I should not like to call it a cargo on my own canal. I should think it was an evasion.

Mr. *Cripps.*

2417. There is some provision with regard to a minimum boat load, whether steam or horse haulage.

Cross-examined by Mr. *Compton Smith.*

2418. I think you said that your boats go two and a-half miles an hour?—Our boats go on an average two and a-half miles an hour when towing two loaded boats.

2419. What would their pace be light in the Irwell Upper Reach?—When going light they can get up to six or six and a-half miles an hour. But if I may be allowed to say so, another reason against the Ship Canal having the power is that our boats are going down to Manchester and Salford Docks, and on a portion of what was the Mersey and Irwell Navigation, there is no tow-path now, so that we must employ a Ship Canal tug for that distance.

2420. In 1892 I think the view of your company was that some tolls should be charged for tugs, and you made an agreement to that effect?—I explained that we have had further experience since that date of the effect of the charge upon the traffic.

2421. You did not come forward before Mr. Pelham and give the result of your experience at the end of last year in the inquiry?—Because

Mr. *Compton Smith*—continued.

we could not. We have only started this year trading upon the Bridgewater Canal.

2422. How long have you used these boats?—Upon our own navigation?

2423. Anywhere?—About 12 or 14 years, I believe.

Mr. *Compton Smith*—continued.

2424. Therefore you would have some experience during the 12 or 14 years of the effect of steam haulage generally upon the navigation?—Yes.

The Witness is directed to withdraw.

MR. LIONEL WELLS, is re-called; and further Examined as follows:

Mr. *Compton Smith.*] I ought to protest. Perhaps, I ought to hear what the witness is going to say first. I believe this gentleman is an expert, and is going to speak as to the question of damage.

Mr. *Cripps.*] My learned friend seems to be a prophet. If I ask Mr. Wells any improper question and my learned friend calls attention to it I will withdraw it.

Mr. *Compton Smith.*] I shall object if the question is gone into by this gentleman as an expert.

Chairman.] You object on what ground.

Mr. *Compton Smith.*] My manager Mr. Collier was put into the box and he was not asked a single question with a view to the damage occasioned to the canal.

Chairman.] There is no reason why you should not have him back.

Mr. *Compton Smith.*] The course taken by my learned friend is irregular. I am in the hands of your Grace and the Committee.

Mr. *Cripps.*] I have not asked any question yet. I do not know what the objection is. I have merely put the witness in the box.

Chairman.] What I understand Mr. Smith to say is that the question of damage should not be gone into, because you did not cross-examine on it before.

Mr. *Cripps.*] I am not going into that.

Chairman.] If this question of damage is gone into you not having cross-examined upon it, it will be fair to the other side to recall their witness and hear from him what his view is.

Mr. *Cripps.*] I do not dissent from what my learned friend has said. I argued upon the basis that if all Mr. Collier's figures were right, no damage was shown.

Mr. *Cripps.*

2425. (To the *Witness.*) You have been, for a large number of years, a member of the Institution of Civil Engineers?—Yes, nearly 30 years.

2426. And for 11 years I believe you were engineer to the River Weaver Navigation?—Yes.

2427. That is the navigation which has got a terminus at Weston Point, close to the terminus of the Bridgewater Canal at Runcorn?—Within a mile or two.

2428. I do not want to ask you as regards the question of damage, but in connection with the Weaver Navigation, had you a great deal to do with the question of dealing with traffic, and the

Mr. *Cripps*—continued.

carriage of traffic upon the Weaver Navigation?—Yes.

2429. Did you use steam haulage upon the navigation?—Very largely.

2430. Is there upon the Weaver Navigation an exceptional power for charging for steam haulage as against horse haulage?—No there is none.

2431. Taking your experience of steam haulage upon the Weaver Navigation, in your opinion, if there were any exceptional charge as regards steam haulage, would it be a disadvantage in connection with the carriage of traffic?—A very great disadvantage in the carriage of traffic. Canals have to get traffic as well as they can, and if they are to be handicapped as to the mode of propelling it the railways will get more than the share they get at the present time.

2432. If you have to make an exceptional charge, or if the carrier is charged where he carries his goods in the best way by steam haulage, that would be a great disadvantage to the carriage of canal traffic?—Yes.

2433. That view is based on your experience over a series of years on the Weaver Navigation?—Yes; while I was there I saw the increase of steamers year by year, and the necessity for economy in carriage. We were improving the Weaver every year, and as we deepened it or increased the size of the locks, the traders at once took advantage of it and increased their steam power and the size of the craft.

2434. On the Weaver is the only charge made for steam haulage, the charge on cargo upon the same basis as when there is horse haulage?—Yes.

2435. I will not ask you about the question of damage——

Cross examined by Mr. *Compton Smith.*

2436. The Weaver is a very deep canal, is it not?—Yes; and has very deep craft navigating it. It was 7 feet 10 inches when I went to it, and I left it at 10 feet, and the craft followed it; in every six inches they took advantage; the old vessels were raised, and the short ones lengthened.

2437. The depth of water is about 11 feet, and the draught of the vessel about nine feet?—No, it is not,

2438. What is it?—It varies. In some places it is 10 feet, and barely so, so that a boat drawing 10 feet cannot get along. In other places it is 15 and 20 feet deep.

Sir *Richard Paget.*

2439. What is the ruling depth?—The ruling depth

Sir *Richard Paget*—continued.

depth would be 11 feet, about a foot under the vessel.

Mr. *Compton Smith.*

2440. It is a regular sort of ship canal?—It is a very fine barge canal, one of the finest series, the Bridgewater being the first and ours the second.

Sir *Richard Paget.*

2441. What is the angle and slope of your banks?—It varies according to the materials; about 2 to 1, 2½ to 1, and 3 to 1; it would vary in every mile.

Mr. *Compton Smith.*

2442. The Canal Returns for 1888 have been put into my hands, and I find the Weaver River navigation has a depth of water on the sills of all the locks of 15 feet?—That is not so.

2443. That is the return the company make with a total rise of 9 feet 4, 7 feet 1, 11 feet 2, and 9 feet 6 on the sills of the locks?—I am not responsible for the Return, but the fact is, that there is 15 feet on the sills of all the locks except two, and on one of those there is 10 feet, that is on the main line, and that, of course, gives the gauge to vessels using the navigation the whole length. The larger locks are built 15 feet, and it is hoped that some day the navigation may be 16 feet.

2444. You did not give these Returns yourself?—No.

2445. Some gentleman acquainted with the facts did?—I am acquainted with the facts.

Mr. *Compton Smith*—continued.

2446. I am not suggesting that you are not, but some gentleman who was acquainted with the facts, gave the Return?—Apparently not, because I am acquainted with the facts.

2447. Some gentleman who is supposed to be acquainted with the facts gave the Return.

Chairman.] What is the Return.

Mr. *Compton Smith.*

2448. The Canal Returns of 1888, the Returns of all the canals in the kingdon. (To the *Witness.*) When were you called into this case?—In 1892.

2449. Did you give evidence before Mr. Pelham?—No.

2450. When were you first asked to give evidence upon this particular inquiry?—I hardly know. Do you mean with reference to the steam towing on the Bridgewater Canal?

2451. With reference to the evidence you have just given?—I entered into this question in 1892.

2452. When were you particularly asked to give specific evidence upon this inquiry to-day?—A week ago, I think.

2453. Was it Tuesday?—Quite recently. I went into the question thoroughly two years ago.

2454. And you have not looked at it since?—Yes, I have.

The Witness is directed to withdraw.

MR. HUBERT THOMAS, is called in; and having been sworn, is Examined, as follows:

Chairman.] (To Mr. *Cripps.*) What are you going to prove by this witness.

Mr. *Cripps.*] It is an exceedingly important matter to us. This gentleman is the engineer of the Grand Junction Company.

Chairman.] The last witness said he had not been called upon to give any evidence upon this subject till last Tuesday.

Mr. *Cripps.*] This is not a particular issue between two bodies, it is a question of the particular dealing with these two canal questions, and he said as an expert he dealt with them in 1892, in connection with Lord Ducie's Committee.

Chairman.] It is very general. You call him as an expert witness.

Mr. *Cripps.*

2455. (To the *Witness.*) You are general manager of the Grand Junction Canal Company?—Yes.

2456. And you gave evidence upon this same point last year before the Joint Committee?—Yes, I believe I did.

2457. The same point was raised last year. You know the suggestion made by the Bridgewater Canal Company for the amendment in their Schedule?—Yes.

2458. What do you say would be the effect of an amendment of that kind upon the carriage of

Mr. *Cripps*—continued.

traffic upon the canal where steam power is used?—A very objectionable one. My company has the longest lead of any canal from London to the Midland Counties, 101 miles, and for the last 30 to 40 years all these cargo-carrying tug boats have been working upon our canal upon no extra charge. We simply charge toll upon the cargo and nothing for the boat, and if this precedent is put in upon two of the canals they will put on a prohibitory toll and prevent haulage by steam; they will put a prohibitory toll upon a barge. The proposal is to pnt on two tolls, one upon the cargo and one upon the barge. We say the toll upon the cargo ought to cover the barge.

2459. You have to consider this whole question of principle?—Yes.

Chairman.

2460. Are the Grand Junction Company carriers?—No; we were carriers at one time, and spent a large amount of money; we were the pioneers of steam haulage, and we spent a large amount of money, but we are not carriers at the present moment.

Mr. *Cripps.*

2461. But you have other carriers upon your system, have you not;—We have 18 tugs, or tug-carrying cargo-boats, now plying on our system, and one tug; and the one tug we make no charge

Mr. *Cripps*—continued.

for at all, because we consider it a great facility to the traffic.

2462. The question here is the question of the owning company putting a charge, not upon themselves, but upon other carriers?—It is one which, in my opinion, ought not to be allowed, the toll of the cargo should pass the boat. With regard to the speed, I have very large experience. The speed is regulated by the section of the navigation; that is to say, if you have only a narrow canal of 40 feet, with a depth of water of three feet six inches, or four feet, the speed is very much less than if you have a broad navigation of 60 feet with six feet of water over it. The evidence may appear rather conflicting, but I have made experiments upon our own canal in the same way, and you can travel on certain sections at three miles an hour, but on other sections you may travel at five or six miles an hour by the same boat with the same cargo.

Cross-examined by Mr. *Pember*.

2463. We may take it broadly the less water there is in the canal the greater is the effect of traffic upon the banks?—No doubt; but I do not think there is any effect upon the banks.

2464. But, of course, that is an opinion which can be tested by facts?—I have had 30 years' experience of maintaining the Grand Junction Canal as engineer.

Mr. *Pember*—continued.

2465. When were you last on the Bridgewater Canal?—I cannot answer that question

2466. Have you ever been there at all?—I could not answer that. I think I must have been on it.

Chairman.

2466.* You surely must know whether in the course of your life you have been upon the Bridgewater Canal. I think I should know whether I had been there?—I have; but I cannot tell when I was last there.

Mr. *Pember*.

2467. Your powers of recollection have increased in the last 30 seconds; you could not say when you were there?—I thought you were defining the exact time.

2468. You say this is so important a matter. Were you called upon this when the case was before Mr. Pelham?—No; I was concerned in it in the Manchester Ship Canal Bill in the House of Lords last Session.

2469. Were you present at the inquiry before Mr. Pelham?—No.

The Witness is directed to withdraw.

Mr. *Cripps*.] I do not think that we called any evidence before the Board of Trade. I will not call any more witnesses.

Mr. *Darlington*.] I shall call no evidence.

MR. WILLIAM H. COLLIER, is re-called; and further Examined, as follows:

Mr. *Pember*.

2470. Do you find, or do you not find, that the use of these tugs does considerable damage to your banks?—We find the damage there, and we believe it to be as much attributable to the steam barges as to the other class of tugs. And we do so for this reason: It is impossible to attribute the falling of a particular number of lineal yards to one steam tug, or to another steam tug, or to one steam barge or another steam barge; but when these barges act as tugs, and tow two heavily-laden barges as big as themselves, three in all, that is an index of their strength, and also gives an idea of their power.

Mr. *Cripps*.] I understand that Mr. Collier should be called upon the question of damage.

Mr. *Pember*.] He is explaining how the question arises.

Chairman.] You have gone over and over again into the question of damage.

Mr. *Cripps*.] I accepted what my witnesses said as to that; but I accepted what Mr. Collier said also.

Chairman.] You can go into this.

Mr. *Pember*.

2471. (To the *Witness*.) You were mentioning the size of your boats?—I wish to point out that our tugs being narrower, there is a much greater grip and hold of the water than with tugs which cause dead water through their own bluffness;

Mr. *Pember*—continued.

and notwithstanding that advantage to our tugs or disadvantage to these boats, they are as effective and do as much work as one of our tugs. I therefore say it is unreasonable to assume that the power which they develope, and which they exercise in eroding the under banks of our canal is less damaging in any respect than the damage done by our own tugs. I should, in justice to the other side, say that there is a little point which they made in view of the boats' propellers getting too near to the banks; to a slight extent there is a little truth in what they say. Beyond that I do not think there is any force in the suggestion they make. I have seen, and these witnesses have not seen, almost every case of failure of the banks; I have seen them laid dry, and have accurately ascertained the particular process which has brought in the banks, and I know, beyond any question of opinion, that it does arise through these earth or clay shoulders being gradually worn away and ceasing to support the walls.

Cross-examined by Mr. *Cripps*.

2472. Of course, as we know, you are not the engineer?—I was before I was manager.

2473. How long is it since you ceased to be engineer and became manager?—Seven years, during the whole of which time, as a matter of personal interest, I have watched the whole of the engineering as closely as before.

2474. Just give a figure or two with referenc

Mr. *Cripps*—continued.

to what you say about increased damage. What was the expenditure in the year 1887?—I am unprovided with that; there is no material difference.

2475. Has there been no material difference since the Rochdale Canal Company have run these boats?—No material difference.

2476. That is our case?—I think not, for this reason: previously we towed the boats with our tugs, which are now towed with your own. The total number of boats is the same, and the damage the same; it is therefore a proof that the damage is done.

Lord *Clifford of Chudleigh.*

2477. What speed do you give to a boat by the bye-laws?—They are not regulated by bye-laws, they travel at what speed they can make.

The Witness is directed to withdraw.

Mr. *Cripps.*] We have finished our case.

Mr. *Compton Smith.*] I do not wish to occupy the time of the Committee, as the question has already occupied so much time. It seems to me, if I may respectfully say so, it is a very small point. It is fair and reasonable that we should have the amendment we ask for. I put it simply upon one short ground, and I will not take two minutes in putting it to your Grace. Here is a tug, I do not care whether it is a barge or what it is, and in another aspect it is a barge, and since it is a barge and carries cargo, and earns money upon the cargo, it ought to pay on the cargo. We have spent a large amount of money upon our canal, and inasmuch as it is a tug it ought to pay *qua* tug. It does damage, and it ought to pay for it.

Chairman.] You say if it carries cargo it ought to pay for carrying cargo, as it would under the Act.

Mr. *Compton Smith.*] Yes; but the point I am trying to make is this; that we give two services. My learned friend says; Oh, the cargo pays. Yes, but the cargo pays for cargo, it does not pay for the tug. The two services are these: we sustain your cargo upon the canal, and let you carry it wheresoever you will, and for that you must pay. With regard to the tug, we say we sustain your tug upon our canal, and enable you to get, as it is conceded by all the witnesses an advantage. It is true Mr. Dykes will not put that advantage into a pecuniary form, but he has not taken any trouble to inquire about it; he says it is exceedingly difficult, but it can be put into a pecuniary form. There is no doubt upon the evidence which has been given by Mr. Collier, and which is practically uncontradicted that the passage of these tugs carrying, or not carrying, cargo does a great deal of damage and injury to the banks; and inasmuch as they get the advantage of that they ought to pay for the injury, and for the advantage they gain; therefore they ought to pay for the tug and the cargo.

Mr. *Pember.*] They earn in two capacities, and they ought to pay in two capacities.

Mr. *Compton Smith.*] I submit that the amendment ought to be allowed.

Chairman.] The canal company first charge for the cargo, and then the point is whether they are to charge for the tug as well as for the cargo.

Mr. *Pember.*] At present they can only be compelled to pay extra when they are using steam if they do extra damage; that is the meaning of the "Pioneer" case; but if you do extra damage you are liable to pay for the damage done; and the judgment in the "Pioneer" case is in effect that unless you do the work in such a way as not to do extra damage you shall not work at all. The judgment would have gone against the "Pioneer" unless the experts had said as long as she runs no more than three miles an hour she will not do any extra damage. Then the judge said she may run. By a very large expenditure we provide the canal whereon they can run without doing any damage, and for that expenditure of money they ought to pay.

Lord *Herries.*] In any Provisional Order granted is there any instance in which a tug combining carrying power with the power of a tug has been allowed to have extra charges in respect of damage.

Mr. *Pember.*] I do not think there has been. To say the honest truth, last year we were not very successful before the Committee that then sat. We did our best to put our case, and have not been successful. Up to this time we think we have had a more favourable and juster hearing here, and we ask for something upon this occasion, and have asked successfully upon this occasion for two or three things that we could not get last year.

Chairman.] Your contention is that inasmuch as the company have laid out money so as to improve the banks as to prevent the tugs doing damage, therefore the tug ought to pay something towards the expense that the company have incurred for that purpose.

Mr. *Pember.*] Yes; and it can only take the form of a certain reasonable rate. We say had it not been for these banks you would have been in the position of the "Pioneer," that you could only use a certain amount of power without doing damage, and beyond that you could not go.

Mr. *Pelham.*] I want to say only a very few words about this. This was a general clause, as you heard settled last year by the Committee.

Chairman.] Which clause do you allude to?

Mr. *Pelham.*] It is page 22, "Exceptional Charges." Your Grace will observe that that Exceptional Charges Table refers to all the canals in the Bill. That is the form as it was passed for four canals last year, and has been already passed in one Bill this year for the eight railway companies. The Board of Trade proposed last year that merely naked tugs should be charged for. I am bound to say that I think the Board of Trade intended that only vagrant tugs should be charged for, as Sir Courtenay Boyle said; but, as it stood, the Committee seemed to think it enabled any tug that was tugging boats to be charged for. They qualified the words by putting in the words about carrying cargo. They also put in the words that the same should be determined, not by the Board of Trade, as has been

been mentioned just now, but by an arbitrator to be appointed by the Board of Trade. The Board of Trade have accepted the decision of last year, and they did not think it was their duty to alter that decision. Therefore they do not wish to express any decided opinion upon the case so ably argued upon both sides before your Grace.

I only want to say one thing, which is a little open to doubt. I am not sure that I understood the amendment. I understand that that boat carried 50 tons, but I understand if it goes down the canal without any boat behind it there will be no charge for it.

Mr. *Collier.*] That is the intention.

Mr. *Pelham.*] Under the amendment there will be no charge for it, though it would go faster as a single boat than if it had two boats behind it.

Chairman.] If that single boat went down that canal with 50 tons it would not pay.

Mr. *Pelham.*] Not anything beyond the toll on the 50 tons, presumably it would go faster than if it had two barges behind it, whereas, if it has one barge of 43 tons behind it, it not only has to pay for the 40 tons, but also has to pay for itself. That did strike me as a slight inconsistency, because I understood from the witness the harm was done by the screw which went faster singly than with two barges behind it.

Mr. *Pember.*] It is a concession to the man making a double earning, and we do not think it fair to put an extra charge upon him.

(The Committee deliberate.)

Chairman.] The Committee have decided not to insert the amendment. Now, what is the next matter.

Mr. *Compton Smith.*] The next amendment is the second amendment. The tug amendment was taken out of order. It is an amendment upon page 5, line 24, of the Bill, Sub-section (viii.), to insert after the words "at night or," "for a reasonable time." Your Grace sees that the section is as follows: "The use or occupation of a berth or lay-bye, or canal basin belonging to the company, and not being the canal or lay-bye, or canal basin alongside any private wharf, by a bye-trader's boat, beyond a reasonable period for loading or unloading, but no charge shall be made for boats tied up or moored at night, or when not at work, provided that the traffic of the canal or of a terminal station or canal basin is not thereby impeded." It comes under the general sections applicable to all the canals to which the Schedule applies, and the special charges in that sub-section would be made in the event contemplated. With regard to that amendment I do not know whether there is any opposition; but I submit that it would be a proper thing to insert the words "for a reasonable time." As a matter of fact, I am instructed that boats have to lie about the canal and do to a certain extent obstruct the traffic, they may not actually get in the way of traffic, but boats lying about for one, two, or three months and in some extreme cases a year, are calculated to obstruct the traffic. Upon that short ground, I submit your Grace that that amendment should be acceded to. I can call a witness if your Grace desires it.

Chairman.] Is there any opposition?

Mr. *Waghorn*] We do not object, your Grace.

Mr. *Pelham.*] It was argued very fully last year. These clauses were general, applying to all the canals, and they were inserted in the Bills of the Great Northern and other railway companies.

Chairman.] Do you oppose the proposal to insert it?

Mr. *Pelham.*] I am opposed to the amendment of any general clauses unless a strong case is shown. I cannot go beyond that.

Earl of *Lauderdale.*] Was this point raised last year?

Mr. *Pelham.*] The clause was under very long discussion.

Mr. *Compton Smith.*] I can give evidence as to this particular amendment. I am desirous of saving time, but I have evidence that I wish to call, before your Grace finally decides, if you are against me.

Mr. *Pelham.*] It is only a question of uniformity.

Earl of *Lauderdale.*] It was not raised last year.

Mr. *Pelham.*] No, my Lord.

Chairman.] It is in favour of the trader.

Mr. *Compton Smith.*] It is in favour of the trader if looked upon in one point of view; it is in favour of the company and also in favour of the trade. It is in favour of the company, because it gets rid of derelict boats; it is in favour of the trader, because it gives a fair passage.

The Committee deliberate.

Chairman.] The Committee will agree to these words being inserted: after the words "at night or" insert "for a reasonable time."

Mr. *Compton Smith.*] The next amendment is to Section 20. That section is as follows: "No station terminal shall be charged by the company in respect of merchandise exchanged with handed over to or received from any other canal company for further conveyance by canal at the terminal station at which it is so exchanged handed over or received." The amendment is to insert the word "immediate" in line 43, after the word "for," so that it will read "from any other canal company for immediate further conveyance," and the point of the amendment is as follows; traffic frequently comes down the Bridgewater Canal to a place called Preston Brook. The guage of the Bridgewater Canal is wider than the guage of the canal which leads southerly from Preston Brook, consequently at Preston Brook a trans-shipment of cargo has to be effected. Now if trans-shipment is effected from boat to boat, and the boat is at once taken away, the Bridgewater Canal do not seek to make any special charge under this section with regard to that; but if, on the other hand, that cargo is left hanging about at Preston Brook at their station, and the cargo has to be warehoused, terminal charges are necessarily incident to the course of business. That is to say, if the traffic is not immediately shipped and forwarded, I can call evidence upon that if necessary. I do not know whether that amendment is objected to; I submit that it is a reasonable amendment. If

terminal

terminal station charges are incurred, they ought to be paid for. It is obvious that if traffic is not forwarded immediately, it must result in incurring station charges.

Chairman.] You mean without this amendment parties might leave their goods at the station without taking them on at once.

Mr. *Compton Smith.*] Yes. If they do that, they ought to pay; that is my contention.

Chairman.] You mean you would have to warehouse those goods.

Mr. *Compton Smith.*] Yes.

Chairman.] And you think if those goods are moved and warehoused by you they ought to be subject to station terminals?

Mr. *Compton Spicer.*] Yes.

Mr. *Spicer.*] There ought to be a provision in that case that you have your boats ready to take those goods on, because otherwise you might want to get all you could out of them, and it might be that a very unfair charge might be put on the trader by your boats not being ready.

Mr. *Compton Smith.*] I am informed that this would chiefly apply to the boats of bye-carriers.

Mr. *Spicer.*] Still it would apply to your own as well.

Mr. *Compton Smith.*] If our own boats were in default, no doubt we could not make the charge.

Chairman.] Could not you? That is the point. Suppose a trader brings his goods to your terminal station, and wants to send them on by your boat, and you have no boat to carry that cargo on, it would be hard upon him to make him pay for your warehousing.

Mr. *Compton Smith.*] In the case you put, if boat was not ready, whoever it was who handed over the goods to us for carriage, and requested that we should immediately convey them, we should not be able to charge.

Mr. *Spicer.*] This is a very complicated question; the question would arise whether due notice had been given; you cannot get these barges up very quickly.

Chairman.] Have you a witness to call upon this.

Mr. *Compton Smith.*] Yes.

Mr. WILLIAM H. COLLIER, called again.

Mr. *Compton Smith.*

2478. WILL you tell the Committee what the state of things is which renders it necessary for us to ask that this word "immediate" should be inserted in Section 20?—In some cases, the owner of the goods might desire to have a temporary warehousing for his own convenience, and that is the only event in which we seek to make a charge for the terminal service.

Cross-examined by Mr. *Ricketts.*

2479. Let me call your attention to Section 10 of this Provisional Order, page 6. Are not you protected by the power you have there of charging for transhipment?—That is for transhipment service; we are speaking of station terminals.

Chairman (to Mr. *Pelham*). Have you anything to say upon this?

Mr. *Pelham.*] The clause only relates to station terminals. Now, the existence of a station terminal would not prevent the company charging for warehousing; the clause does not apply to warehousing; the station terminal would cease to be applicable after a reasonable time; then I understand the company would be able to charge for warehousing, which they would be able to do unrestricted by the Schedule.

Sir *Richard Paget.*] Station terminals are defined by Clause 3, page 3 "The maximum station terminals are the maximum charges which the company may make to a trader for the use of the accommodation (exclusive of coal or other drops) provided, and for the duties undertaken by the company for which no other provision is made in this Schedule at the terminal station for or dealing with merchandise as the carriers thereof before on after conveyance.

Mr. *Pelham.*] Perhaps the case would be met by the provision at page 22 of the Bill, "for any accommodation or services provided or rendered by the company within the scope of their undertaking by the desire of any person, and in respect of which no provision is made by this Schedule."

Mr. *Compton Smith.*] It would be a question of degree. If goods were left for a long time, and had to be warehoused perhaps, that would not be a station terminal, but if they were left only a short time, and the same sort of service were rendered to them as would be rendered at the station, not being services which would be remunerated for by the Schedule, then I submit that the company if the goods are not immediately further conveyed, should be entitled to charge station terminals; not for warehousing.

Mr. *Pelham.*] I think I was wrong in saying that the case would be met by what I read just now. I think it would come under the provision in Sub-section iii. at the bottom of page 4: "The detention of the company's boats at any place, or the use or occupation of any landing-place or accommodation (not being water space) belonging to the company at a terminal station, before or after conveyance, beyond such period as shall be reasonably necessary for enabling the company or the bye-trader to deal with the merchandise as carriers thereof, or the consignor or consignee to give or take delivery thereof." That seems to me to cover it.

Mr. *Compton Smith.*] That applies to boats, not to goods.

Mr. *Pelham.*] It says boats, "or the use or occupation of any landing-place or accommodation, not being water space."

Chairman.] It draws a distinction between boats and other things.

Mr. *Compton Smith.*] That sub-section which relates to special charges provides that where special services are rendered to a trader, special charges may be made, and the 20th Section provides that those special charges which may be made under that section shall not be made under this, that is, where goods are to be sent on.

Mr. *Pelham.*] A special charge cannot be a station terminal; "station terminals" are defined.

Chairman.] I think the clause which Mr. Pelham has read, that is to say, Sub-section iii. at the bottom of page 4, seems to cover it.

Mr. *Compton Smith.*] If your Grace is of that opinion I have no more to say about it. Then the next amendment is in Section 21, upon page 8, line 7. We propose "to leave out 'B.' and insert 'C.'" I am told that we do not press that.

Chairman.] Then we strike that out.

Mr. *Compton Smith.*] Then the next amendment is on pages 9 and 10. My learned friend Mr. Whitehead has been in communication with the Board of Trade about this amendment, and perhaps I had better let him deal with it. There is some modification of it, of which I was not aware.

Mr. *Whitehead.*] I have handed a copy of the proposed amendment to Mr. Howell, I do not know whether his clients are going to oppose it. I have spoken to Mr. Pelham about it. I should like to know first whether the Mansion House Conference are going to oppose it.

Mr. *Ricketts.*] Will my learned friend explain it before we say whether we oppose or not.

Chairman.] You do not know the proposal?

Mr. *Ricketts.*] I am not quite certain of the effect of it.

Mr. *Whitehead.*] It is this; under ordinary circumstances, if a boat enters the canal from some other navigation, it takes a lock of water; and therefore, under the ordinary empty boat clause, inasmuch as it has used a lock of water it becomes subject to the empty boat charge. On this canal it so happens that boats can come in from other canals and pass along a great part of ours without our losing a lock of water; and as my learned friend Mr. Pember stated in opening this case, it might happen that because ours was the shorter route, that a trader, after carrying his cargo over some other navigation might use our navigation in order to get back home quickly. Now, inasmuch as he would be returning empty, after delivering the cargo——

Mr. *Ricketts.*] Perhaps my learned friend will excuse me for interrupting him. We follow the meaning of the proposed amendment, and we have no objection whatever to it.

Mr. *Whitehead.*] I have spoken to Mr. Pelham about it. He suggested if there was no opposition, that a form of words which he and I have arranged together might be accepted by the Committee. This is how it is proposed to read: "Where merchandise is conveyed by a bye-trader on the canal in a boat which passes through one or more locks the company charge a minimum toll of 5*s.* For an empty boat which passes through one or more locks on the canal, or which passes on to or from the canal, from or on to the canal of any other company, the company may charge a minimum toll of 5*s.* provided that such empty boat is not returning after delivering cargo in respect of which there shall have been paid to the company a minimum toll of 5*s.*, or is not on its way to load cargo in respect of which a like minimum toll will become payable to the company, the company may charge a minimum toll of 5*s.*, provided that two boats travelling together, and capable of passing through a lock of the company alongside one another, shall be reckoned for the purposes of this section as one boat." If there is no opposition to that, I submit it to the Committee.

Mr. *Pelham.*] I think the Committee understand what it is.

Chairman.] Then that will stand.

Mr. *Compton Smith.*] The next amendment is proposed by Messrs. Fellows, Morton, and Clayton, Limited.

Mr. *Waghorn.*] We withdraw that.

Mr. *Compton Smith.*] Then the next that we come to is one proposed by the Mining Association.

Mr. *Darlington.*] That is withdrawn.

Mr. *Compton Smith.*] Then the next is an amendment proposed by the Manchester Ship Canal Company; the amendment is to omit the whole of Sub-section (iii). That is the sub-section which has to do with saving exemptions for manure and road materials. I am instructed that those exemptions are entirely obsolete. In the first place, when the exemptions were originally provided for by Act of Parliament, no consideration was given for them; and, in the second place, no traffic whatever is carried under the exemption. I do not know whether anybody opposes.

Mr. *Ricketts.*] Yes.

Mr. *Compton Smith.*] The shortest way will be for me to put Mr. Collier into the box, and he will explain the position of the matter.

Chairman.] We had the same sort of question in the case of the Grantham Canal of the Great Northern Company.

Mr. *Compton Smith.*] That was a canal owned by the Great Northern; and I am instructed that the same amendment was put forward in that case, and was carried.

Mr. *Ricketts.*] Shortly, the ground of our opposition is this: that this was an agreed clause between us and the company.

Chairman.] We decided this question in the case of the Grantham Canal.

Mr.

Mr. *Compton Smith.*] I do not know, technically, how it was decided; but I am told that it was decided in such a sense that, following that decision, my amendment would be allowed; that is to say, the exemptions were not allowed.

Chairman.] Yes.

Mr. WILLIAM H. COLLIER, called again.

Mr. *Compton Smith.*

2480. Will you explain to the Committee your views as to these exemptions?—I was present when the Grantham Canal case was before the Committee, and I can say that the whole of the circumstances in that case apply to our canal, and even in a stronger degree as respects our proposal than they did in that case. There is no traffic to-day passing free, nor has there been for a number of years. I have no record of any passing free. The exemptions are absolute, or at any rate have fallen into disuetude, and I do not know that anyone would be injured by their being expunged, and I think they should be expunged. There was no consideration for them, so far as can be ascertained. I have seen most of the deeds for the purchase of the property at the time the canal was made, and there is nothing in those to lead one to think that the land was purchased cheaply; on the contrary, some of the landowners were difficult to deal with.

Chairman.

2481. Will you turn your attention to the end of Sub-section iii. The end of that says "in so far as any such exemption relater to manure to be used for the improvement of land in any parish adjoining the canal, or to any stone, gravel, or other materials to be used for making or repairing any road in the counties of Chester or Lancashire." At the present time when manure, which is to be used for the improvement of the land in any parish adjoining the canal, or stone, gravel, and other materials which are required to be used for repairing roads go over the canal, do they pay tolls?—Yes, everything pays.

Sir *William Houldsworth.*

2482. Has there been any claim made for exemption? — No, except by these gentlemen at the earlier stages of this inquiry. With regard to manure no manure could conform to the conditions of the exemption and so obtain advantage of them; it all comes from the yards of the Manchester Corporation by means of the Hulme Locks not a part of the original Bridgewater Canal, and tolls have always been paid by reason of that, and we agreed with them as to what tolls should be paid upon that. Those tolls are paid to-day and have been constantly paid. With regard to road stone, that is imported at our docks at Runcorn, and we make an inclusive charge covering the use of the docks and the use of the canal to its destination.

Sir *William Houldsworth.*

2483. There is a proviso at the end of the Table in the amendments at page 3, relating to manure?

Mr. *Compton Smith.*] Yes, I was anxious to call the attention of the Committee to that. I am not quite sure whether it was the intention of the Committee to pass that with the Schedule. There is a proviso at the end of the Schedule which, of course, logically goes with the Schedule, "Providing that notwithstanding anything in the above scale the maximum toll for night soil, stable, or other manufactured manure conveyed on the Bridgewater Canals undertaking from Manchester to any place in the county of Lancaster shall be 3*d.* per ton, and to any place in the County of Chester shall be 6*d.* per ton, and such toll shall in every such case include wharfage charge where the same is payable."

Sir *William Houldsworth.*] That takes the place of the exemption as regards manure?

Mr. *Compton Smith.*] Yes.

Sir *William Houldsworth.*] But it does not refer to stone or granite road making?

Mr. *Compton Smith.*] No, not expressly. The reason I apprehend is that no exemption is claimed in respect of traffic of that kind.

Witness.] There is traffic of that kind. Perhaps I am not quite justified in saying it is not free, because an exclusive charge is made, and that charge has never been divided up into its several compound parts.

Mr. *Compton Smith.*] We are agreed as to night soil that the maximum toll for night soil may be charged; the only thing that remain are stable and other unmanufactured manure.

Cross-examined by Mr. *Ricketts.*

2484. Let me read to you paragraph 14 of your Petition; you say: "The Schedule of tolls, rates, and charges submitted by your Petitioners to the Borrd of Trade was based on the supposition that there would not be any extension of the existing exemptions; your petitioners, in fact agreed with the said corporations and bodies by a clause (to which they crave leave to refer) to maintain the existing exemptions, but the effect of Section 3 of the Order will be to extend those exemptions contrary, as your petitioner submit, to the intention of the Railway and Canal Traffic Act 1888." Before Mr. Pelham did not you instruct Mr. Balfour Browne to say this: "Mr. Howell is quite right, Sir, that our intention is to preserve all the exemptions and privileges at present enjoyed"?—Yes.

2485. Did not you agree to that?—Yes.

2486. Did not you agree upon the clause with Mr. Howell?—Yes, we did.

2487. Now you seek to repeal that clause?—For the reason stated. We have since come to London, and we have had the precedent of the decision of the Great Northern Grantham Canal, where a large quantity of these materials now passing free will in future have to pay tolls, on the ground that there was no consideration for any such differential treatment. We are in the

Mr. *Ricketts*—continued.

position of having no traffic free at present; therefore we think it better to cancel what would imply upon the face of it the enjoyment of an exemption which really is not enjoyed. It might lead to great dispute in the future; probably it might be pleaded that it was evident that traffic of that sort was intended to go free, or a Committee of Parliament would never have put this in.

2488. Is not it the fact that the present charge on roadstone is a dockage charge, and not a toll?—The charge is an inclusive charge, and it is impossible to divide it up. I do not think the thing was considered when the charge was fixed.

2489. Was not this proviso agreed to with us before the Board of Trade (*reading the proviso.*

Sir *William Houldsworth.*] The provision is passed.

Mr. *Ricketts.*] We understood the exemption clause being postponed, this would be taken with the exemption clause.

Mr. *Compton Smith.*] I wish to say about that, that I do not want to attempt in any way to impose upon the Committee, if I may say so. The proviso logically attaches itself to the Schedule; but if the Committee did not take into consideration the proviso, of course I would not endeavour for a moment to say that the proviso is necessarily part of the Table.

Chairman.] We will hear what you have to say upon it, Mr. Ricketts.

Mr. *Ricketts.*] I have witnesses to call.

Chairman.] You were reading something, and I asked what you were reading from.

Mr. *Ricketts.*] From the proviso agreed with us before the Board of Trade.

Chairman.] Where is it to be found?

Mr. *Ricketts.*] It is not represented in this proviso put forward by the company.

Chairman.] Or in the Provisional Order?

Mr. *Ricketts.*] Or in the Provisional Order.

Re-examined by Mr. *Compton Smith.*

2490. If stable and other manufactured manure comes from Manchester, it must come through three locks?—At the present time all night soil traffic from Manchester comes from wharves on the River Irwell, and has to pass through the Hulme Locks. In agreeing the proviso, we defined the traffic as passing through the Hulme Locks. In these printed amendments we said from Manchester. There is a slight difference in these words, otherwise the proviso is in effect what was agreed; but I notice that stable and other manufactured manure have been added; that was not agreed, it is not material, we care little about it, it is only of the same nature as the other for all practical purposes.

2491. I am correct in saying that traffic passing from Manchester must come through these three locks?—It all does.

2492. And you have power to charge in

Mr. *Compton Smith*—continued.

respect of those three locks under a separate Bill, have you not?—No, we were unlimited as to our power of charge then; but by this Act we come under the general limitation; therefore we framed the clause in that particular form. This is drawn by our Parliamentary Agent, and has been before the Committee. Our own amendment is a clearer and better form of enactment.

2493. The Hulme Locks were constructed independently of the Bridgewater Canal, were they not?—Yes, not at the same time.

The Witness is directed to withdraw.

Mr. *Ricketts.*] I will call Mr. Howell to say what the agreed clause was. He represented the Mansion House Association.

Chairman.] What has that to do with it? We are now considering whether Sub-section 3 should be struck out of the Provisional Order, and a proviso which carries one of the amendments should be inserted, but we have nothing to do with what was agreed upon between the Board of Trade and you.

Mr. *Ricketts.*] One of the grounds of our opposition is that the company agreed with us to maintain the exemptions, and now they go back from their word, which is not a straightforward course to take.

Chairman.] What we understand from Mr. Collier is that it is perfectly true they were prepared to act in that way until it came before Parliament, and when they found that other people got more than they asked for, they thought it only reasonable that they should ask the same thing. We do not want to go into what the agreement was before the Board of Trade. We must deal with the matter put before us. Mr. Collier says the reason he altered his mind was because he saw the Great Northern Company had got the exemption struck out in their Bill, and he saw no reason why it should not be struck out in his Bill. You want to bring before us the discrepancy between the agreement now, and that of the Board of Trade. I say we have nothing to do with that; we have only to deal with the matter before us. What you have to show us is that Sub-section 3 should not be struck out, and that the proviso should not be inserted.

Mr. *Ricketts.*] I have to show the ground for rejecting the amendment.

Chairman.] If you can show us a ground for rejecting the amendment do so.

Mr. *Ricketts.*] But a few months ago they were willing not to do away with the exception. I submit that is a good ground for asking your Grace and the Committee to say that the amendment should not be struck out now.

Chairman.] The answer to that is that they have changed their minds; everybody has a right to do that.

Mr.

Mr. *Ricketts.*] Your Grace says I may not call my witness?

Chairman.] You may call him for this purpose. You may ask the question if you like.

Mr. *Compton Smith.*] My learned friend has no amendment.

Chairman.] You may ask him whether the other side have changed their minds.

Mr. BULMER HOWELL, is called in; and having been sworn, is Examined, as follows:—

Mr. *Ricketts.*

2494. You are a member of the firm of Neish and Howell, Solicitors to the Mansion House Association?—Yes.

2495. And you represented them in the Board of Trade Inquiry?—Yes.

2496. And did you propose this agreement clause which was then agreed upon?—I did; the clause was absolutely agreed, and we had a distinct promise by Counsel at the Bar that all the exemptions and privileges at present existing should be preserved. I may mention that I represented upon that occasion, not only the County Council of Cheshire, but also the landowners along the canal, and I should like to represent to your Grace and the Committee that the landowners, from communications I have received from them, have all regarded this as a settled matter and regarded themselves as being entirely in harmony with the company, and therefore the landowners themselves are not present here. They regarded it as a settled thing, because professionally we always understand if Counsel makes a definite promise at the Bar, nobody need take any more trouble about the matter. I should like to say exactly what the clause that we agreed to was.

Mr. *Compton Smith.*

2497. Have you it in writing?—Yes, I have; I can read it from the shorthand notes.

Chairman.

2498. You say the clause is different now from what it was before. You need not go into argument upon that.

Witness.] We are prepared, upon behalf of the landowners, to accept either the clause that we proposed or the clause that Mr. Pelham has drafted; but we object after the matter has been solemnly agreed that the company should go back upon it and seek to omit the exemptions altogether. There was a limitation agreed before Mr. Pelham as to nightsoil passing from Manchester, and in respect of that it was agreed that the toll should be threepence within a certain radius and sixpence within a further radius. And if you strike out the proviso at the end of the Table the words following "night soil," namely, these words "stable or other unmanufactured manure," that, coupled with Mr. Pelham's clause, would exactly carry into effect the agreement that was made between the parties before Mr. Pelham.

Sir *William Houldsworth.*

2499. That is reserving the exemptions with the proviso that night-soil might be charged 3*d.*?—Yes, that is exactly what was agreed to after our negotiations, not only before Mr. Pelham, but preceding the inquiry, which negotiation I conducted personally with Mr. Collier, who has given evidence, with the agent for the landowners in the district, Sir Richard Brooke, and others, and with the county surveyor of the County of Chester, and it was also in agreement with the County Council of Lancashire who were represented by Mr. Waghorn.

Chairman.

2500. Your proposal is to retain Sub-Section 3?—Yes.

2501. And strike out "stable or other unmanufactured manure"?—Yes, on the ground that it was not part of the bargain.

Earl of *Lauderdale.*

2502. You have had these amendments before you for some days, have you not?—I have.

Cross-examined by Mr. *Compton Smith.*

2503. Is there any traffic in these materials free?—I have been instructed that decidedly there is.

2504. Free?—Yes, free.

2505. Is there any traffic under these exemptions?—Yes, I am instructed that is so.

2506. I rest there; if you are instructed, I have nothing to say. If your witness comes we shall hear him.

Chairman.

2507. Are you prepared to say, of your own knowledge, that there is any free traffic in stone, gravel, or other materials for the use of making roads?—Your Grace, I can only speak on my instructions.

2508. Then we had better have the person who instructed you?—The witness following me will satisfy your Grace upon that point; he has personal knowledge. I can only answer your questions upon my instructions.

The Witness is directed to withdraw.

Mr. HARRY F. BULL, is called in; and having been sworn, is Examined, as follows:

Mr. *Ricketts.*

2509. You are Assistant County Surveyor for the county of Chester?—Yes.

2510. You know that the County Council of

Mr. *Ricketts*—continued.

Cheshire have retained in their own hands the repair of county roads, have they not?—Yes.

2511. The Bridgewater Canal passes through the

Mr. *Ricketts*—continued.

the county of Cheshire to a certain extent?—Yes.

2512. How many miles?—About 21 miles.

2513. Does the county get stone and other mineral for the repair of the roads by the canal?—Yes.

2514. About how much?—About 3,175 tons of macadam last year.

2515. Was it conveyed toll free?—I understand that it is so; that we merely pay a dockage at Runcorn. I understand that it goes free along the canal, but that we have to pay, or have been paying, a dockage at Runcorn Lock.

Chairman.

2516. Of how much?—It is sometimes 1*s.* and sometimes 1*s.* 6*d.* per ton. I believe that if the stone goes through these locks, but is not carried along the canal, there is just the same charge as if it goes along the whole canal.

Mr. *Ricketts.*

2517. You mean by that that there is no toll for the canal?—Yes.

Chairman.

2518. You say you only "believe" it; do you know it?—The merchants who supply us with the stone pay these charges, and we pay them again. We only pay a lump sum delivered.

Chairman.] The parties who supply the stone would be the best judges of what they pay upon the canal and what they do not pay.

Mr. *Ricketts.*] It is within this witness's knowledge that he pays what they pay, in return.

Witness.] I have a letter from one of the merchants who supplied it, and I know all about it.

Mr. *Ricketts*] What he pays is within this witness's personal knowledge.

Chairman.] What he pays to a particular party.

Mr. *Ricketts.*] It is within his knowledge what the nature of the charge is.

Chairman.] He cannot know how that is divided.

Mr. *Ricketts.*] He told your Grace and the Committee that the same amount is charged for going through the locks and over the canal.

Chairman.] I thought he said he only believed so.

Witness.] That is as I understand by letter.

Mr. *Spicer.*

2519. You pay an all round price for your stone delivered at certain places, and you do not know from your own knowledge how that charge is divided up?—No; but it is for our interest to see that we do not pay more than is necessary, and I have to enquire into it with the merchants.

Mr. *Ricketts,*

2520. The County Surveyor of the County of Chester is ill and is not able to appear?—He is.

Mr. *Spicer.*

2521. You get your different prices from the different quarries?—Yes; we ask the price, first of all, per ton for the material alone, and then what the price is for carrying it.

2522. And you go to different quarries; you do not go always to one?—This one supplies the majority of the stone we have.

2523. You do not make a monopoly of it?—No.

2524. You ask for tenders from different places?—Yes; but these quarries are the only ones that supply us.

Mr. *Ricketts.*

2525. You can give the reason why it is fair that these exemptions should be continued?—We have to repair the approaches to the canal bridges, whereas in the case of the railway company's bridges they repair their own approaches; so it was only fair to consider that as we were exempt from tolls we should do something for them by repairing their approaches.

Cross-examined by Mr. *Compton Smith.*

2526. It is an astonishing thing that, assuming these things do pay, this idea did not occur to some surveyor some time between this and the reign of George III., is it not; does it not astonish you, assuming that these things do pay?—I do not quite understand you.

The Witness is directed to withdraw.

Mr. *Compton Smith.*] Mr. Collier can give you the actual tolls if you like. In opening the amendment I put forward the statement that no traffic under these exemptions has been carried toll free, and Mr. Collier, if your Grace wishes it, will go into the box and prove it.

MR. WILLIAM H. COLLIER, is recalled; and further Examined, as follows:

Mr. *Compton Smith.*

2527. Will you explain to the Committee the point with regard to these tolls?—I have already said that no traffic whatever has taken advantage of these exemptions. Nothing passes free unless by inference that certain charges which we understand to cover tolls were originally fixed as dock charges pure and simple; but that view is wrong, inasmuch as road materials carried from Runcorn Docks to places in the immediate vicinity of

Mr. *Compton Smith*—continued.

Runcorn all the way to Preston Brook pay a shilling. If they go to Stockton Quay or Lymm, they pay 1*s.* 6*d.*; if they go the whole length of the canal, owing to competition at other points coming in, the rate becomes slightly less, 1*s.* 3*d.*, being part of the through rate, the remainder going to other companies. Those rates are invariably debited and invariably paid, not by the county council, but by the people from whom the county

Mr. *Compton Smith*—continued.

county council buy their materials, delivered at the places where they are wanted.

Cross-examined by Mr. *Ricketts.*

2528. Under what authority is that charge made?—I can hardly tell you.

2529. Is it under any authority?—I do not know, I am sure; you can dispute it if you like.

2530. And no traffic passes under these exemptions?—None.

2531. Will any injury be done if the exemptions are continued?—Yes, I think there may be.

2532. What injury?—I think that people would scheme to take advantage of it; people who have no real or justifiable claim to it may seek to turn and twist these exemptions to their good, and there seems to be no reason why they should have them.

The Witness is directed to withdraw.

Mr. *Ricketts.*] I have no more witnesses. I have already told your Grace the grounds of my opposition to the amendment, which is, that there was a deliberate bargain made between the parties, from which the company ought not now to be allowed to draw back. That is broadly the ground upon which I base my opposition. Your Grace also has heard that there is a certain amount of consideration given for these exemptions, in the way that the canal bridges are repaired by the company, whereas the railways which grant no exemptions have to repair their own approaches to their bridges, and keep them in order for their traffic.

Mr. *Compton Smith.*] I submit that that reason is no reason at all. If it had been a reason, somebody would have thought of it since the reign of George III. Most of these Acts are Acts passed in the reigns of George II. and George III.; and I say that someone would have thought of it because it has been proved that this class of traffic has not been carried upon the canal free under the exemption in these Acts. I myself am bound to say that my condition of mind with regard to this agreement that has been spoken of is exceedingly vague. I was not there myself, and do not anything about it, and I shall not say anything about that matter. I believe in the Great Northern case, in the case of the Grantham Canal, these exemptions were not allowed, and for the sake of uniformity these exemptions not being allowed in that case, or about to be allowed in the case of canals coming afterwards, the exemptions should not be allowed in this case. I submit that the charges put in the proviso are perfectly fair and reasonable. Night soil, manure, and stone are carried from Manchester or through Manchester, and has to come through the three Hulme locks; there is a rise there of 13 feet, and it ought to be paid for. The passage of the stuff over the canal ought to be paid for, and any services which may be rendered at Runcorn should be paid for too. The 6*d.* and the 3*d.* are proper charges to make in respect of the road material and the night soil which are carried over the canal. It seems to me, your Grace, that it is a matter for you, and I leave it in the Committee's hands.

Mr. *Pelham.*] Your Grace, I think you are aware that the principle on which the Board of Trade went was that where an exemption was claimed, where it is proved to exist at the present time, the Board of Trade thought it only consistent with the decision of last year that that exemption should be inserted. In this particular case I, as Commissioner of the Board of Trade, did not go into the question of whether the exemption was now in force or not, because I understood that the company agreed to insert it. As the clause was brought forward by the traders, the opponents, it was of an exceedingly vague character, and I said it must be more specific, and it must be tied down to some particular area or district. That was done as in the case of the Great Northern Canals. I do not think that it is necessary or proper for the Board of Trade to express any opinion as to whether that agreement ought to be binding at the present time. It was merely sufficient for my purpose that there was no opposition. Therefore it was inserted without my going into the question of whether the exemption was actually in force. The only other remark I ought to make is that something will have to be altered if the exemption clause is retained in its present form; because it would be inconsistent with the proviso to the Table A. It will have to be amended somewhat, because that proviso simply says: "Provided that notwithstanding anything in the above scale"; it ought to be "anything in this Schedule." I only point out that that is inconsistent. It is not such an important question as was in the case of the Great Northern.

Mr. *Spicer.*] I should like to ask Mr. Pelham whether keeping these exemptions had any influence in his mind in settling the tolls to be allowed.

Mr. *Pelham.*] None at all, because the tolls as fixed were what I may call the standard rates fixed last year upon this particular canal.

The Committee deliberate.

Chairman.] The Committee have decided to strike out Sub-section iii., on page 10, and to accept the proviso proposed by the Bridgewater Canal.

Mr. *Compton Smith.*] Then the next amendment is on page 10, that is proposed by the Mining Association; that has been dealt with. Then the next is proposed by the Mansion House Association, that is as to the Runcorn bonus.

Mr. *Ricketts.*] We do not propose to press that.

Mr. *Compton Smith.*] Then the next is proposed by the Manchester Ship Canal Company, that is an amendment to insert, after Section iv., the following as Section v.: "Nothing herein contained shall affect the right of the company to make any charges in respect of any accommodation or services provided or rendered by the company at or in connection with their docks or shipping places at Runcorn or Liverpool." When my leader, Mr. Pember, opened this case yesterday, he explained, and the Witness, Mr. Collier, also explained, that the Bridgewater Canal property includes not only the canal, but also a dock

at Liverpool and docks at Runcorn. Now the docks at Runcorn are very extensive. I am reminded by Mr. Moon that it would be as well to ask whether anybody is opposing this.

Chairman.] Is anyone opposing this amendment?

Mr. *Ricketts.*] No.

Mr. *Compton Smith.*] Shortly, my ground for proposing this amendment is that the docks at Runcorn are very extensive. They were made by the Duke of Bridgewater himself on his own property, for his own private use, and without recourse to any Act of Parliament. I am instructed that in other cases where a similar provision has been sought to be inserted in a Bill the persons who were responsible for putting forward such an amendment have been met by the suggestion, As you have got an Act of your own why do not you make charges under that Act. In this case we have no Act of our own, therefore we have no statutory authority upon which we can make the charges. So some difficulty may hereafter arise, because whereas at present I believe a certain charge has been made for the use of the Docks at Runcorn, that charge covering all expenses incurred at Runcorn by the company, and also some other toll charge upon the canal, that would have to be dissected, and charges would have to be made now for the user of the Runcorn Docks specifically. I submit that the amendment is a reasonable one. We ought to be allowed to make such charges as would be reasonable.

Sir *William Houldsworth.*] Are these charges limited in any way? Are they statutory charges?

Mr. *Compton Smith.*] They are not statutory charges, they would have to be such charges as would be reasonable.

Sir *William Houldsworth.*] A trader could complain against them.

Mr. *Compton Smith.*] He would be able to complain under the Act.

Sir. *William Houldsworth.*] That would be his protection?

Mr. *Compton Smith.*] Yes.

Chairman.] We will hear Mr. Pelham upon this.

Mr. *Pelham.*] This is quite a new point to me. The Schedule deposited with the Board of Trade two years ago did not contain any reference to these docks. As regards the dock at Liverpool there is no objection whatever. As regards the charges at Runcorn it seems to me that a barge coming down from Manchester right away through the canal could hardly get out into the Manchester Ship Canal without going through some of these docks. There is nothing to define what the docks are, and the consequence might be that they might put on 5*s.* to the toll authorised by the Schedule, and say: That is our charge in respect of the last 200 yards of the route. I feel bound to raise that difficulty.

Lord *Clifford of Chudleigh.*] In what way did the company become possessed of these docks; did not they obtain possession of them under some Statute.

Mr. *Pelham.*] It was the Duke of Bridgewater's property.

Mr. *Compton Smith.*] I suppose the Bridgewater Canal Company bought the canal and the dock in 1872.

Lord *Clifford of Chudleigh.*] Did not they come to Parliament for the purpose of buying the undertaking.

Mr. *Collier.*] The dock at Liverpool and the docks at Runcorn were made by the Duke of Bridgewater on his own private property; he bought the land on which he made the docks; he had no compulsory power, nor any limit of charge; the docks are outside the scope either of the 1888 Act, or of this Schedule.

Lord *Clifford of Chudleigh.*] Who do they belong to now.

Mr. *Collier.*] To the Manchester Ship Canal, just as the Bridgewater Canal belongs to them.

Lord *Clifford of Chudleigh.*] Did not the Manchester Ship Canal Company, or their predecessors, the Bridgewater Canal Company, come to Parliament for any sanction to buy the canal and the docks?

Mr. *Collier.*] No, the Bridgewater Canal Company were a limited company formed for the purpose of acquiring the undertaking from the Bridgewater's trustees; no Parliamentary power was necessary.

Sir *Richard Paget.*] We understand that neither the Liverpool Docks nor the Runcorn Docks have ever been the subject of any enactment.

Mr. *Collier.*] That is so.

Sir *William Houldsworth.*] The Manchester Ship Canal Company obtained power to buy the docks with the canal.

Mr. *Collier.*] Yes, from the limited company, but with no tariff of charges.

Sir *Richard Paget.*] Are these docks, to all intents and purposes, private property.

Mr. *Collier.*] They were private property when made, but now all the property belonging to a public company is more or less subject to the Act of 1888 with reference to preferential traffic, and so forth.

Sir *William Houldsworth.*] So the position is this: with regard to the charges here, the only protection a trader would have would be the general provisions of the Act of 1888.

Mr. *Collier.*] Yes.

Mr. *Pelham.*] I ought to withdraw something I said. I thought the proposed clause would enable them to put on something for a boat passing through from Manchester to Runcorn without services being rendered at these docks. It does not go so far as that, it is, "Nothing herein contained shall affect the right of the company to make any charges in respect of any accommodation or services provided or rendered by the company, at or in connection with their docks."

Mr. *Compton Smith.*] By reference to the plan it would be easy to distinguish between the canal and the docks.

Chairman.]

Chairman.] Your clause is to save the rights which the company at this moment possess.

Mr. *Compton Smith.*] That is so. We have certain rights to charge for services rendered by the company in connection with our docks or shipping places at Runcorn, and those charges must be reasonable. If a trader objected to the charges as not being reasonable, he would have his remedy.

Sir *Richard Paget.*] The Committee should be informed what would be the effect of this with regard to station terminals or service terminals. Are they in any way affected by this.

Mr. *Compton Smith.*] I should submit not; the dock charge would be altogether different.

Mr. *Pelham.*] I do not know whether it would get over the difficulty if we were to say "in respect of any vessel using such docks, and not entering the canal."

Mr. *Compton Smith.*] With reference to the point, put by Sir Richard Paget, I might point to the definition at page 9 of the Bill, line 30, "The term 'terminal station' means a place upon or in connexion with the canal at which the company have provided or provide structural accommodation, for receiving, delivering, loading, or unloading merchandise before or after its conveyance on the canal, but does not include my dock or shipping place." The docks and shipping places at Runcorn would come under that definition, and would not be included in "station terminals."

Mr. *Whitehead.*] It may be within your Grace's recollection that when the Railway Railway Rates question was before the Joint Committee on Railway Bills, docks were expressly excluded; so that station terminal charges should not relate to any charges which the companies could make at the docks *quâ* docks.

Sir *William Houldsworth.*] Do I understand your opinion, Mr. Pelham, to be that you do not think it necessary to insert this to protect any rights that they have; but at the same time you do not consider that it extends their rights.

Mr. *Pelham.*] My point is this, that it might take certain wharfage charges out of the limitations imposed by this Schedule. I am afraid of it going a little too far. I do not mind saving what they wish to save, but I am afraid that these general words might go a little too far. Now that I compare the proposed amendment with the definition clause of "terminal stations" at page 9 of the Bill, I notice the words "locks or shipping places" agree very much with the words excluded from the terminal charges; I must withdraw my objection.

The Committee deliberated.

Chairman.] The Committee have agreed to insert after Sub-section iv,, the following as Sub-section v.: "Nothing herein contained shall affect the right of the company to make any charges in respect of any accommodation or services provided or rendered by the company at or in connection with their docks or shipping places at Runcorn or Liverpool."

Mr. *Compton Smith.*] There are two more amendments; they are merely consequential.

Mr. *Pelham.*] Now perhaps the Committee will take the two unopposed cases.

Glamorganshire Canal Navigation.

Mr. *Robert Capper.*] (Agent for the Glamorganshire Canal Navigation.) We have received no amendments, and we are content with the Schedule drafted by the Board of Trade.

Sir *Richard Paget.*] The rates in the A., B., and C. Classes on page 12 are higher than the average.

Mr. *Pelham.*] No doubt, ·50 is the toll charged on a great many other canals. There is a special allowance made for the Lea Lock Pond, but I should explain that the Glamorganshire Canal is not a very long navigation; it is 25 miles long, and does not make any through route. It just joins on to the Aberdare Canal worked by the same company, and does not form part of any through route. The thing was very carefully gone into, and the proposed tolls gave a revenue somewhat lower than what the company now receive.

Chairman.] You have gone into it.

Mr. *Pelham*] Yes, we have gone into it very carefully; we gave them a little lower than what they were getting.

Chairman.] The Committee pass these sections relating to the Glamorganshire navigation.

Medway (Upper) Navigation.

Mr. *Currey.*] There are no amendments with regard to the Upper Medway.

Mr. *Pelham.*] I think the Upper Medway navigation are more satisfied now with the decision of the Board of Trade, because the tolls on the Lower Medway, which will come before the Committee in a future Bill, were considerably reduced and they have to get all their traffic over the Lower Medway. The Upper Medway are a company who carry, the Lower Medway Company do not carry. The Upper Medway goes beyond Maidstone up to Tunbridge, and there is exceedingly little traffic on it. The toll is a little higher than the usual one of ·50; it is ·625 which is one-eighth of a penny more.

Chairman.] We will pass these sections applicable to the Medway (Upper) Navigation.

Ordered, That this Committee be adjourned to Thursday next, at Half-past Eleven o'clock.

Die Jovis, 28° Junii, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(Bridgewater, &c., Canals).

Mr. *Balfour Browne.*] One of the last Schedules you dealt with was that of the Bridgewater Canal, and there was a considerable amount of difference of opinion as to the question under Section 3 of that Order of the exemptions for manure and road materials. I daresay you remember my learned friend Mr. Compton Smith, who was with me on it, argued the matter, and your Grace struck out the Clause.

Chairman.] Yes.

Mr. *Balfour Browne.*] I am bound to say that Mr. Compton Smith did not know that we had entered into an arrangement with the solicitor for the Mansion House Association that these exemptions should be continued; and I am bound, further, to come at the first opportunity and say that, as that was an arrangement, we ought not to ask your Grace to strike them out. I will tell you how we came to ask it, your Grace, and we were perfectly justified in doing so. When the Board of Trade reduced the tolls, we said, we cannot afford to allow certain matters to go exempt, therefore, we must go back, and the Mansion House Association understood it; then your Grace and the Committee increased the tolls, and I think, under the circumstances, therefore, we were bound to keep to the bargain that we made with the Mansion House Association, and leave the exemptions in. Of course, I am entirely in the Committee's hands, but I still think the exemptions should be as they left them upon Friday, and I can do no more. What I propose is this, that Clause 3 upon page 10 of the Order should stand in this way: "Nothing in this Schedule contained shall, except as regards night-soil, hereinafter provided for" (night-soil was not arranged about at all) "shall alter, vary, or affect any exemptions from tolls provided by" a certain Act. That ought to remain as I have read it. Then, in Part II., the words should be "provided that notwithstanding anything within this Schedule the maximum toll for night-soil" (and then we leave out the words "stable and other unmanufactured manure") "conveyed on the Bridgewater Canals undertaking from Manchester to any place in the County of Lancaster shall be 3*d.* per ton, and to any place in the County of Chester shall be 6*d.* per ton." Those alterations have been submitted to the gentlemen acting for the Mansion House Association, and they will tell your Grace that they carry out the arrangement that was come to. Of course, I am entirely in your Grace's and the Committee's hands if you think it should not be done; but I want to put myself right because I was instrumental in making the arrangement in the first instance, and we should not have asked your Grace, if it had been thoroughly understood, to alter the Schedule.

Chairman.] I do not think we can go back upon that, we must adhere to what we decided the other day; it would be very irregular and very inconvenient that we should go back upon what we have already decided after listening to everything that was put before us.

Mr. *Pelham.*] May I mention this: as the result of one of the Amendments on the Bridgewater Canal, your Grace adopted the proposed amendment of the company authorising higher rates and higher tolls. I also called the attention of the Committee to the fact that that amendment carried with it certain alterations of the terminal charges. I ought to mention it to-day. I do not wish to raise any objection for the Board of Trade except to say that no evidence was called in support of a higher terminal charge, and those terminal charges were always the same last year, and have been adopted by the Board of Trade as a matter already settled by Parliament. Your Grace remembers you did alter the terminal charge as regards Class C., which was moved for, and for which evidence was produced in support. It was no doubt properly moved, and the amendment was carried, but I thought

it right to call the attention of the Committee now to the fact that the amendment as carried last week did alter the terminal charges on two classes to which attention was not called in the course of the proceedings.

Mr. *Balfour Brown.*] It is true that specific attention was not called to it, but we put in Mr. Collier to prove the whole Table; we were opposed by the Mansion House Association and by the Mining Association, and there was no cross-examination upon the point; therefore we did not think any opponents were raising the question, and we did not think it necessary to go into it. After your decision had been come to and Mr. Darlington, for the Mansion House Association, asked if the decision covered the bonus mileage, and your Grace said that it did cover the whole Table of Tolls and Rates, we thought we had given sufficient evidence both with regard to the rates and the terminals.

Chairman.] The answer I gave in the last case would cover this; that we cannot go back upon it.

Canals of the Shropshire Union Railways and Canal Company.

Chairman.] Before we go on I am told, with regard to canals of the Shropshire Union Railways and Canal Company, that there are certain amendments which have been agreed, and we desire to pass those in order to free the parties: page 17, Section I., lines 30 and 31, omit the words "which has passed toll free, or." Page 17, Section I., lines 32 and 33, omit the words "which is entitled to pass toll free, or." Page 18, Section IV., lines 5 to 16, omit the whole of Section IV. After Table A. insert "Provided that not withstanding anything in this Schedule, the maximum tolls for stone, gravel, and other materials to be used for making or repairing any public road in any parish through which the canal passes or for manure (other than artificial) which under any Act of Parliament relating to the canal would" (here is where the amendment comes in) "be entitled to exemption from tolls shall not exceed one-half of the maximum tolls authorised by this Schedule for Class A. merchandise." I am told that that is agreed, and that being so we will pass the amendments.

Mr. *Pelham.*] Will the Committee add some words which will make it perfectly clear to those exemptions about the sixth line, which "under any Act of Parliament relating to the canal would." I should like on behalf of the Board of Trade to suggest the words "before the passing of the Act confirming this Order be entitled to exemption from tolls." It is a mere verbal alteration.

Chairman.] Very well, let it be so.

Rochdale Canal.

The following Petitions against the Order are read:

The Petition of the Company of Proprietors of the Rochdale Canal.

Mr. *Cripps*, Q.C., Mr. *Moon*, and Mr. *E. Brierley* appear as Counsel in support of the Petition.

Messrs. *Grahames, Currey, and Spens* appear as Agents.

The Petition of the Company of Proprietors of the Calder and Hebble Canal.

Mr. *Balfour Browne*, Q.C., and Mr. *Carr* appear as Counsel in support of the Petition.

Messrs. *Lewis and Company* appear as Agents.

The Petition of the Mansion House Association on Railway and Canal Traffic for the United Kingdom (Incorporated).

Mr. *Whitehead* appears as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

The Petition of the Mining Association of Great Britain.

Mr. *Balfour Browne*, Q.C., and Mr. *Whitehead* appear as Counsel in support of the Petition.

Messrs. *Sharp and Company* appear as Agents.

The

28 *June* 1894.

The Petition of the Lancashire and Cheshire Conference of Municipal Corporations, and other Authorities, Traders, and Associations.

Mr. *Waghorn* appears as Counsel in support of the Petition.

Messrs. *Sharp and Company* appear as Agents.

The Petition of Fellows, Morton, and Clayton, Limited.

Mr. *Waghorn* appears as Counsel in support of the Petition.

Messrs *Sharp and Company* appear as Agents.

Mr. *Cripps.*] The special sections applicable to the Rochdale Canal are upon page 15. We have had a plan prepared of the Rochdale Canal, and it will be convenient for me to explain our position by reference to that plan. Your Grace will see upon the special plan before you "Rochdale Canal." The Rochdale Canal so far as its main line is concerned only has a mileage of 32 miles; but if your Grace will look at the section upon the bottom of the plan you will see that the conditions of this canal are almost if not quite unique. You will see that in a distance of only 32 miles there are 92 locks, and the canal goes over a summit level of 600 feet; the fact being that we have a larger number of locks with reference to distance than any other canal in the kingdom; and also that the conditions as regards water are very onerous, because all our water is derived from reservoirs and artificial sources; and what I am going to ask your Grace and the Committee to do is this: I shall point out upon our last year's report that the total net receipt of the canal for dividend purposes was about 1,000*l.*, and that if the Board of Trade proposal were adopted we should lose in actual revenue over 2,000*l.* a year. So that the result of the Board of Trade proposals would be immediately to place this canal in a condition of bankruptcy; it must go into the hands of a receiver. I do not know whether it can be suggested by anyone that that would be desirable, either in the interests of the canal or in the interests of the canal traffic; but it is absolutely inevitable that if the Board of Trade proposal is adopted this canal company must become bankrupt and the whole concern go into the hands of a receiver.

Your Grace, at the present time the canal and reservoir works have actually cost 761,000*l.* odd; but our capital is very much less; it is 481,000*l.* and some odd pounds, because in the early days of this canal instead of paying dividends sums were paid out of revenue in order to complete the constructive works along the various parts of the canal; so that though we have spent the sum of 761,000*l.* our actual capital only stands at 481,000*l.* This canal like other canals was up to a certain date under the control of certain railway companies. At the present time the canal is absolutely independent; there is no connection with any railway company of any kind. Your Grace may notice, and you will see it better upon the second of the plans which we put before you, that the Rochdale Canal is one of three competing routes from Liverpool on the west, to Hull on the east, the competing routes being either by the Leeds and Liverpool Canal route or by the Rochdale Canal route or by the route of the Ashton and Huddersfield Canal. Your Grace sees these three various routes; so that as regards through traffic and all questions affecting through traffic no doubt there is ample competition, and it is not merely as regards through rates and tolls that we have any complaint to make nor would we be much affected, because whatever charges or tolls might be given us as far regards through traffic would be subject to severe canal competition. If your Grace would look further to the third diagram upon the plans before you, you will see a sketch showing the connection between the Rochdale Canal and the Bridgewater and Ashton Canals at Manchester, and your Grace will see from the plan that the connection between the Rochdale Canal and the Bridgewater Canal is made by a series of locks; as a matter of fact there are the same number of locks at that connection between the Rochdale and the Bridgewater Canals that you find at the Runcorn end of the Bridgewater Canal itself. Not only is the Rochdale Canal at this place with all this large number of locks, but it has been very difficult and expensive to construct. It goes to the heart of Manchester; it is between walls of existing warehouses and other buildings, and cannot be widened. A very large traffic indeed is done at the Manchester end, and it is done in connection with a very special arrangement as regards terminal accommodation; because in Manchester and just above where your Grace sees Brownsfield Lock upon the diagram, we have very large terminal accommodation in Manchester, providing really terminal accommodation equal to the facilities which are ordinarily given by railway companies and very much in excess of the facilities ordinarily given by canal companies. There is a little plan which I have got and which is additional to this sheaf of plans showing the conditions a little more fully as the Manchester end. Your Grace and the Committee will see when I point out our proposals that they chiefly depend upon the conditions at the Manchester end. Your Grace sees upon the plan of the Manchester end, near the junction of the Ashton Canal with the Rochdale Canal, "Dale-street Basin" towards the right hand of the plan. We have a very large terminal depôt at Dale-street Basin, and we give a terminal accommodation more analogous to what is given by railway companies than what is ordinarily given by canal companies, and it is in connection with the accommodation which we give there and the accommodation which we give at this end of the Rochdale Canal, that we ask for a considerable alteration in the proposals made by the Board of Trade. I will tell your Grace and the Committee by-and-by what the alterations are; but your Grace will see from that plan taken in connection

connection with the sketch-plan showing the number of locks, that the conditions at the Manchester end are not those that you ordinarily find in connection with a canal, because not only have we there a large number of locks, but the special depôt accommodation which we give at the Dale-street Basin. If your Grace will turn back to the sheaf of documents which we put in, we now come to the fourth, it is marked "A"; that gives a "statement of the bridges, culverts, retaining walls, and other special works to be maintained upon the line of canal." The effect of that table is to show that our obligations as regards maintenance are very severe. I need not deal at any length with that Table; it is sufficient to point out that we have a large number of these important works which we have to retain. The next Table, Table B., shows our reservoir, and we have an artificial reservoir capacity of 257,059,809 cubic feet, and we have collecting carriers and service conduits of 21 miles. Then on the next Table, Table C., we give an abstract of the tonnage for the year 1891, and the special feature in that Table is in what you see at the foot of it, that the total exchange with the Bridgewater Canal is 74 per cent. of our traffic; and a very large proportion of our traffic is dealt with after exchange with the Bridgewater Canal, at the Manchester end, and at the depôt which I pointed out to your Grace and the Committee, namely, at the Dale-street Basin. I do not think I need deal with the details of Table D., which is the next Table; but if your Grace will look at Table E. it will show what our complaint is as regards the proposals made by the Board of Trade. We have taken out, as has been done in other cases, returns for our traffic for typical months, and applying the total for the year the loss on the Board of Trade proposal would mean an actual loss of 2,037*l.* 10*s.* 6*d.* Your Grace sees there at the bottom of Table E. that is off the actual revenue which we gain and make at the present time. The next Table to that, Table F., contains a large number of figures going into details showing how that figure is made up; I do not know whether there is any question upon our figures. I think not. These Tables work out again to the same figures, showing a loss of 2,037*l.* 10*s.* 6*d.*; that is the actual loss.

Now if your Grace will turn to Table G., you will see that it is a very important Table. Table G. deals with short-distance traffic.

Mr. *Balfour Browne.*] Is it included in the Table you have already dealt with?

Mr. *Cripps.*] Yes. I want to point this out to my learned friend, Mr. Balfour Browne. The Table we have already dealt with shows a loss of 2,037*l.* 10*s.* 6*d.* in the year; that is the effect of Table G.

Sir *Richard Paget.*] Do you mean loss if the Board of Trade proposals are adopted?

Mr. *Cripps.*] Yes; I mean that. Then if you turn to Table G., you will see that 1,785*l.* of that is loss upon short-distance traffic. That is the effect of Table G., in reference to the Table which I have been already explaining to the Committee. Therefore if we get the concession that we ask for with regard to our short-distance traffic, we should be saved 1,785*l.* of our loss. And I say at once to the Committee, that if we could get the concession as regards our short-distance traffic, so as to save this loss of 1,785*l.*, it would not be necessary to bring before the Committee our proposals for higher tolls; because if we were saved 1,785*l.* out of the suggested loss of 2,037*l.*, though it would still leave a loss of 300*l.* a year, we should be content. On the other hand, if we do not get the concession as regards the short-distance traffic we must go for the tolls that we propose, which would just cover our actual loss. But if we get what we propose with regard to short-distance traffic, it is obvious from Table G. that our loss is very much diminished, in fact it would satisfy us if we got what we want as regards our short-distance traffic. Before going to the actual proposals we make as regards our short-distance traffic, I would like the Committee to have a copy of our last year's accounts to show the position in which we should be placed unless the Committee give us some assistance as against the Board of Trade proposals. This account shows the financial position of the Rochdale Canal Company. First of all, the Capital Account I need not deal with. That shows what I state, that a very large amount, over 275,000*l.*, has been spent out of revenue in days gone by for capital purposes. Then B. is the Revenue Account, and you will see that the net profit on revenue account for 1893 was 1,046*l.* 10*s.* 3*d.* Of course, it is obvious if we could only earn as net revenue in 1893, 1,046*l.* 10*s.* 3*d.*, and if we are going to have 2,037*l.* taken from us we must go into the hands of a receiver and become a bankrupt company. Then we come to the general balance-sheet. If you look under the heading "Revenue Account" you will see that we brought a balance into the year 1892 of 3,296*l.* 16*s.* 7*d.*, and adding the net revenue for the year to that amount we have a total of 4,343*l.* 6*s.* 10*d.* In August 1893 we paid a dividend at the rate of 10*s.* a share amounting to 2,831*l.* 10*s.*, carrying over a surplus for the next year of 1,511*l.* 16*s.* 10*d.* Of course that dividend could not have been paid out of the smaller sum which was earned from revenue in 1893. The reason we were enabled to bring into the amount to be divided that large amount of 3,296*l.* 16*s.* 7*d.* is that when we ceased to be a railway canal certain payments were made to us by railway companies. Those payments have ceased, and in the future the only revenue which the canal can have is its proper revenue as a canal, and its proper revenue in 1893 was only 1,046*l.* 10*s.* 3*d.* Mr. Dykes, who will go into the box, will inform the Committee that this year we are doing worse than in 1893. Therefore, whereas in 1893 we were only enabled to have a net revenue of 1,046*l.* 10*s.* 3*d.*, this year we shall be even worse off than in 1893. That is really the case of the Rochdale Canal Company, a canal company in a very exceptional position, a canal company struggling for existence, and it cannot be for the advantage of the traders or to any other body represented here, that a canal company struggling in competition with the railway companies and other carriers, should be placed in the hands of a receiver and become a bankrupt company. Now I call the attention

attention of the Committee to the proposed amendments; I will turn at once to the important one, the others are rather matters of detail, and some have been already dealt with as matters of principle on the Bridgewater Canal Schedule. The important one is on page 3. That deals with the short-distance charges or the bonus mileage. Your Grace will see the amendments under the head of "Rochdale Canal Company." We propose on page 16, line 5, "after the words 'rates, tolls, and charges,' insert the words 'the portion of the canal between the junction of the canal with the Bridgewater Canal and Brownsfield Lock, or any part of such portion, shall be taken as equal to five miles.'" The effect of that is this, that if any portion of the canal at the Manchester end (where we have these very expensive works and this large number of locks) is traversed for traffic purposes, there shall be a minimum charge as for five miles. Each case is to be considered, of course, on its own basis, but this amendment is similar in principle to the amendment introduced into the Bridgewater Schedule, because at the Runcorn end they obtained a similar bonus mileage, that is to say, that as regards any traffic using any portion of the locks at the Runcorn end they were to be allowed to charge a five-miles bonus mileage. In substance, if we get this bonus mileage at the Manchester end, a very large proportion of our loss would be saved, it is the main factor in this case. I only say this as regards the Bridgewater Canal case as compared with the Rochdale Canal case, ours is an *à fortiori* case, as we suggest, when you come to look to the special circumstances. In the case of the Bridgewater Canal, after coming through the 10 locks, they had a long uninterrupted run; we have not. Ours is a canal system which has locks throughout. First it is taking traffic over a very high summit level; and, secondly, our expenses at Manchester are very much larger than the expenses of the Bridgewater Canal at Runcorn, because those locks are in the centre of the busiest part of Manchester; it is like the underground railways in London. It is a very busy system in the heart of Manchester, and we ask that, as regards traffic coming on any portion of that part of our canal we should be allowed a 5 mile minimum. What the Board of Trade have given us is this: they say we should be entitled on this part of our system to a double mileage; that is, if a boat goes a quarter of a mile it may be charged half a mile, and so on; that is not sufficient to protect our revenue. I have pointed out what the effect of the Board of Trade proposal would be, including the bonus they give us; but, on the other hand, if we had this 5 miles bonus at the Manchester end, in substance that would deal with a great portion of our loss. We ask for certain bonus mileages, but this is by far the most important. At this Manchester end, where the heavy traffic is, we are put to enormous expense. It is a part of the canal where we give special facilities for traffic in connection with the Dale-street Basin. Now, I will call the Committee's attention to the other points upon this short-distance or bonus mileage traffic. The next amendment is in lines 6 and 7, "omit the words 'junction of the canal with the Bridgewater Canal,' and insert in lieu thereof the words, 'said Brownsfield Lock.'" That is merely an incidental amendment if we are given the amendment which we are asking. We are asking for a new bonus mileage as between the junction and Brownsfield Lock; beyond Brownsfield Lock we are not asking more than the Board of Trade has given us. That is only an incidental amendment if the principle of the first amendment is adopted. If the Committee give us the bonus mileage that we are asking for at the Manchester end, that is an incidental amendment, because above Brownsfield Lock we adopt what has been given us by the Board of Trade proposal. Then the next amendment is in line 10, "omit the word 'four,' and insert the word 'five.'" What that means is this: our summit level, from which, of course, all the traffic is locked down in two directions, is three-quarters of a mile in length. Now, the Board of Trade have given us four miles for that three-quarters of a mile, the effect being to give us three-and-a-quarter miles bonus. What we say is, as regards our summit level under our conditions, it ought to be five miles instead of four miles, which would give us a bonus of four-and-a-quarter miles as regards the traffic going through our summit level. Such is the number of our locks that a boat going from one end of the canal to the other takes 875 ft. of water, which I believe to be absolutely unique. In the Leeds and Liverpool case they had a summit level near Wigan, and what we are asking for here was given to the Leeds and Liverpool Canal; they were given five miles bonus as regards their summit level near Wigan. If ever there was a canal company entitled to the fullest consideration this is that case, seeing that all our water is artificial and that it takes 875 feet of water going up or down 56 locks in one direction, and going down or up 36 locks in the other. The last amendment is what we propose at the Sowerby end. If you look at the map you will see Sowerby Bridge—Sowerby Bridge is the end of the Rochdale Canal on its eastern side—it is where there is the junction between the Rochdale Canal and the Calder and Hebble Navigation; there we have five locks. Of course, all the water goes from our system into the Calder and Hebble Navigation, and we ask for a double bonus there, that is to say, that each distance shall be taken as double distance. We propose at line 10 to add: "And each quarter-of-a-mile of the distance between the Brierley Upper Lock and the junction of the canal with the Calder and Hebble Canal shall be taken as equal to half-a-mile." The distance is three miles and there are five locks. Brierley Lock is three miles to the westward of where you see Sowerby Bridge the terminus of our system. As I pointed out, if we get this bonus mileage that we are asking for, we shall be saved 1,785*l.* out of a loss under the Board of Trade proposal of 2,037*l.* If the Committee give us this bonus mileage, which we think is right, and which we ask for, it will not be necessary to bring forward our proposals as regards increased tolls. We would accept the Board of Trade proposals as regards tolls if we get this advantage as regards bonus mileages. I think it might be convenient to take these bonus mileage points together. The first is the one

one at page 16, line 5. I need not trouble you with the amendment at lines 6 and 7, because that is incidental. The next amendment is in line 10 to omit the word "four" and insert the word "five." Then the next amendment is in line 10 to add the bonus mileage which we ask at the Sowerby end.

Mr. *Balfour Browne.*] Those are all in the nature of bonus mileages.

Mr. *Cripps.*] They are all on the same point. The Manchester end is by far the important point, but if we take all these bonus mileages which we propose our loss would be reduced to 1,785*l.*, and that would leave our loss under the Board of Trade proposals at between 200*l.* and 300*l.* a year. Under those circumstances, if our loss was reduced to that, we need not trouble the Committee with the proposed increase in tolls, which is a later amendment.

Chairman.] How far on this map would the five miles at the Manchester end extend?

Mr. *Cripps.*] You will see that more easily upon this map (*handing it to the Committee*). You see the Dale-street basin, and you see on the right hand side of the basin Brownsfield Lock. We propose as regards any traffic between Castlefield Lock (which is the junction with the Bridgewater Canal) and Brownsfield Lock, that it shall be charged as for five miles. The distance is a mile and a half. The Board of Trade have given us a double mileage which is not sufficient, and if we only got that we should have to go into the hands of a receiver. The Board of Trade do not give us any minimum distance; they merely give us the double mileage principle; what we are asking for is a minimum distance.

Chairman.] You ask for a five miles charge from Castlefield Lock to Brownsfield Lock.

Mr. *Cripps.*] And for any portion of that length.

Chairman.] And in the last amendment you ask for half a mile in place of each quarter of a mile; that is from where?

Mr. *Cripps.*] That is at the Sowerby end, at the other end of the canal. It is not shown upon this map at all.

Lord *Hawkesbury.*] The distance there being three miles?

Mr. *Cripps.*] Yes; where we lock into the Calder and Hebble. There is one other point I must call the attention of the Committee to, we ask for an additional mileage as regards the summit level, we ask to insert the word "five," instead of the word "four."

Chairman.] That is in line 10?

Mr. *Cripps.*] Yes. We propose to insert the word "five," instead of the word "four," in respect of the summit level.

Sir *Richard Paget.*] For a distance of three-quarters of a mile?

Mr. *Cripps.*] Yes.

Chairman.] You propose to charge five miles instead of three-quarters of a mile at the summit level?

Mr. *Cripps.*] Yes. The Board of Trade have given us four miles for three-quarters of a mile. We ask for five miles for three-quarters of a mile.

Lord *Clifford of Chudleigh.*] There is one question I should like to ask with regard to these figures in Table C. Am I right in assuming that the amount given as "total exchange with Calder and Hebble" is the amount of what I might call through traffic over the entire canal?

Mr. *Balfour Browne.*] You see the Calder and Hebble is mentioned in three different places in that Table.

Lord *Clifford of Chudleigh.*] I think I can get what I want from Table "F."

Mr. CHARLES ROBERT DYKES, called in; and Examined.

Mr. *Brierley.*

2533. You are the manager of the Rochdale Canal?—Yes.

2534. The Rochdale Canal runs as we have heard from Manchester to Sowerby Bridge?—Yes.

2535. It is shown upon the maps that have been handed to the Committee and also upon that map upon the wall?—Yes.

2536. Is it one of the through canal routes between Liverpool and Hull?—Yes, it is the middle route.

2537. The two other competing routes are the Leeds and Liverpool and the Huddersfield?—Yes.

2538. Is the Rochdale Canal shorter than the Leeds and Liverpool and the more convenient route for through traffic?—Yes. The Rochdale Canal route is 128 miles in length, 14 of which is the estuary of the Mersey, and 114 canal, belonging to four companies. The Leeds and Liverpool route is 160 miles long, but that is entirely canal, consisting of two companies. The other route is formed of the Bridgewater Canal, a short

Mr. *Brierley*—continued.

section of the Rochdale Canal, the Ashton Canal, the Huddersfield Canal, the Ramsden Canal, the Calder and Hebble, and the Aire and Calder, that is a length of 120 miles, 14 of which is estuary of the Mersey and 106 canal. It consists of all the red route except the connecting link coloured yellow.

2539. The Huddersfield route is the shortest. Is that a broad canal?—The Huddersfield Canal, forming part of that route, is a narrow canal and it has a tunnel in the centre of it.

2540. In addition to being competed with by these two routes, will you tell me about the railway competition. Is that shown upon the large map upon the wall?—Yes. The red shows the railway, the blue shows the canal. At no point are they more than a quarter-of-a-mile away from one another. In addition to that there are highways running in close proximity with the canal, and there are points where the canal, the river, and the road are so close together that you can throw a stone across the lot.

2541. The railway does not leave the canal for any great distance through the whole route?—I do

Mr. *Brierley*—continued.

—I do not think that they are more than a quarter of a mile distance from each other at any point.

2542. We have heard that the nominal capital of the canal is 481,000*l.*?—Yes, 481,385*l.*

2543. What is the amount which has been expended on the canal?—The actual expenditure has been 761,273*l.* 17*s.* 7*d.*, equal to 21,750*l.* per mile of the canal. There is another point with regard to the actual cost. There is a portion of the canal, or several portions of the canal, which are subject to the payment of what are called chief rents. It is the custom in Lancashire, and especially in Manchester, not to sell out-and-out, but the ground landlord retains a perpetual rent instead of receiving a capital sum.

Chairman.

2544. Similar to a feu in Scotland?—Yes.

Mr. *Brierley.*

2545. The balance-sheet of the company for the year 1893 has been handed in to the Committee. Does that show that your net profit for the year 1893 was 1,046*l.*?—Yes, net revenue 1,046*l.* 10*s.* 3*d.*

2546. Was the dividend paid for 1893 10*s.* per share?—That was so; 2,831*l.* 10*s.*, and it was paid as an interim dividend before the actual results of our working were ascertained.

2547. To pay that dividend you had to employ a sum carried forward from the last year?—Yes, we had.

2548. Just tell the Committee how that sum carried forward from the last year was derived?—It was derived partly from amounts which had been paid to us by the railway company in times gone by. We had nursed it as well as we could, We knew that when the arrangement with them came to an end we should be in queer street, and we preserved it as long as we could with the object of endeavouring to get a trade to enable us to live, and practically that is the end of it.

2549. How long is it ago since you received anything from that source?—Two years.

Sir *William Houldsworth.*

2550. There is no more to receive from that source?—No.

Mr. *Brierley.*

2551. For working your canal in 1893 you only received 1,046*l.*?—Yes.

2552. Have you Table A.?—Yes.

2553. Does that show the statement of special works upon the Rochdale Canal?—That is correct.

2554. And Table B., does that show the reservoirs supplying your canal with water?——Yes, that is correct.

2555. Is all your water supplied from reservoirs?—The whole of the water excepting a small portion coming in by lockage from the Ashton Canal under certain circumstances, it is absolutely artificial from beginning to end.

2556. Table C. shows the amount of your tonnage in the year 1891, does it not?—Yes.

2557. That shows that the total exchange

Mr. *Brierley*—continued.

with the Bridgewater Canal was 74 per cent. of the whole tonnage?—Yes. Of course I call attention to the postscript at the foot of the table, because, if the three bottom figures of percentage are added together it comes to more than cent. per cent.; it comes to 105 or 106. That arises from this fact, that some of the traffic that goes on it, starting on the Bridgewater, goes through to the Calder and Hebble, and it will be a double exchange as shown in that way. You see that by referring to the others in detail, the top figures are the absolutely correct figures, the bottom being a sum, many of them where the operation of the traffic is in each direction.

2558. Passing on to Table E., is that a summary of your toll traffic for the months of April and October 1891?—Yes.

2559. I will ask you what Table D. is, that is an analysis of your working of boats and traffic for 1887?—Yes.

2560. Now go to Table E.; that, as you have said, is a summary of the toll traffic for the months of April and October 1891?—Yes, that is so.

2561. Does that show the losses that you would incur by the Board of Trade proposals in each of the several classes?—Yes, gross, 2,037*l.* 10*s.* 6*d.*

2562. That is on the whole?—Yes.

2563. You would incur a loss of 2,037*l.* 10*s.* 6*d.* by the proposals of the Board of Trade?—Yes.

Sir *Richard Paget.*

2564. Is there any reason for taking the year 1891 and the months of April and October?—

Mr. *Brierley.*

2565. They are the months dealt with by the Board of Trade in this inquiry. (To the *Witness.*) Is there any other special reason for taking those?—None whatever.

2566. Are they typical months?—They are typical months of the traffic of the canal.

2567. Has the traffic of the canal been better since 1891 or the reverse?—It unfortunately has been rather worse. We have had a considerable number of strikes, and one or two extraneous circumstances come in, and this is the last normal year's working that we have.

2568. For the purposes of this inquiry you take 1891 as a typical year?—Yes.

2569. Table E. shows that your own figures that you propose would cause you to incur a loss of 126*l.*?—Yes.

2570. Table F. is the same figure worked out in distances?—Yes, in detailed distances.

2571. The gross tolls are the same?—Yes, the gross tolls are the same.

2572. As regards Table G., that is a summary of your traffic for five miles from the Manchester end?—Yes, five miles traffic, similar to the other, which is tabulated gross traffic. This Table shows in the same way five miles distance traffic.

2573. On the whole traffic; I was wrong in saying the Manchester end?—Yes, it is the whole traffic.

2574. Does that show that under the proposals

Mr. *Brierley*—continued.

of the Board of Trade you would incur a loss of 1,785*l.* 14*s.* 6*d.*?—Yes.

2575. And under your own proposals, 63*l.* 4*s.* 6*d.*?—Yes.

2576. That shows that the greater proportion of your traffic is five miles traffic?—That is so.

Mr. *Brierley*—continued.

As a matter of fact this Table includes 74 per cent. of our entire traffic.

2577. The five miles traffic is 74 per cent. of the whole traffic of the canal?—Yes.

2578. Then Table H. is the same, worked out in distances?—Yes.

[*The following Tables are delivered in*:—]

(A.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL

(Bridgewater, &c., Canals.)

Rochdale Canal.

Statement of Bridges, Culverts, Retaining Walls, and other Special Works to be maintained on the line of Canal.

Highway and Occupation Bridges	103
Swing Bridges	7
Horse Bridges	6
Foot Bridges	7
Culverts	35
Aqueducts	6
Tunnels (short)	2
River Retaining Walls (approximate cubic yards, 5,000)	1,480 lineal yards.

Note.—Of the Highway Bridges, 12 are now repairable by the Highway Authorities under Special Agreements with the Company.

(B.)

Statement of Reservoirs and Special Works to be maintained in connection with the Water Supplies.

Reservoirs.

Name.	Top Water Area. A.	R.	P.	Capacity in Cubic Feet.	Position above Sea Level (Approximate).
Warland	67	3	22	51,815,970	1,225 feet.
Lighthazzles	26	0	7	41,303,146	1,250 „
Whiteholme	97	3	11	59,327,593	1,250 „
Blackstonedge	59	0	24	28,320,458	1,275 „
Snoddle Hill	17	1	37	9,320,655	775 „
Chelburn	5	1	35	4,596,785	700 „
Hollingworth	118	0	31	92,375,202	575 „
	392	0	7	257,059,809	—

Collecting Drains and Service Conduits, 21 miles.

Two Tunnels for Service Drains (674 and 1,148)=1,822 lineal yards.

28 *June* 1894.

(C.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2 BILL).

(Bridgewater, &c., Canals).

Rochdale Canal.

Abstract of Tonnage for 1891.

	Tonnage.	Percentage to gross.
Rochdale Canal (Local)	101,648	15 %
Rochdale and Bridgewater only	376,865	57 %
Rochdale and Ashton only	32,822	5 %
Rochdale and Calder and Hebble only	36,105	5 %
Through between Bridgewater and Ashton	92,631	14 %
Through between Bridgewater and Calder and Hebble	23,345	3 %
Through between Ashton and Calder and Hebble	1,958	1 %
Gross	665,374	100

Total Exchange with Bridgewater	74 %
Total Exchange with Ashton	20 %
Total Exchange with Calder and Hebble	9 %

P.S.—The apparent fallacy herein arises from more than one company besides Rochdale being interested in the Through Trade.

(D.)

Analysis of Working of Boats and Traffic for the Year 1887, compared with the Working of the Years 1891 and 1892 :—

	1887.	1891.	1892.
Gross Tonnage	665,370	665,374	654,779
Boat Trips—Loaded	18,997	18,902	18,459
Light	5,774	4,506	4,757
Empty	6,574	5,919	5,720
	31,345	29,327	28,936
Reduction on 1887		2,018	2,409
		31,345	31,345
	T. C.	T. C.	T. C.
Average Cargo per Loaded Boat	35 1	35 4	35 9

Notes :

The Year 1887 was the last whole year prior to the Company becoming Carriers.
1891—Strikes, Liverpool and Hull.
1892—Strike of Rochdale Canal Company's Boatmen. Serious Frost in January.

(E.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2 BILL).

(BRIDGEWATER, &c., CANALS).

ROCHDALE CANAL.

SUMMARY of TOLL TRAFFIC for the months of April and October, 1891, showing comparatively (*a*) Actual Revenue, (*b*) the Losses which would result from the proposals of the Provisional Order, and (*c*) the Losses which would result from the proposals of the Company.

Class.	Weight.		Actual Revenue.	Board of Trade Proposals.		Rochdale Canal Company's Proposals.	
				Maximum Powers.	Losses on Actual Revenue.	Maximum Powers.	Losses on Actual Revenue.
	Tons.	*Cwt.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
A	37,675	–	722 15 1	861 10 4	96 5 1	1,134 11 9	17 19 11
B	29,967	10	730 8 –	743 10 2	123 12 8	1,131 2 1	2 11 –
C	17,824	12	623 8 1	641 17 8	77 1 9	1,004 12 7	– 8 3
1	12,383	6	483 16 11	682 12 8	31 6 7	900 2 9	– – 4
2	607	–	43 9 9	57 12 9	1 5 3	73 17 5	– – 6
3	3,930	19	315 15 3	321 2 6	9 5 8	453 3 1	—
4	12	–	– 8 3	– 10 –	– 1 4	– 12 6	– – 1
5	115	–	5 18 1	9 – 6	– 13 5	10 18 9	—
	102,515	7	2,925 19 5	3,317 16 7	339 11 9	4,709 – 11	21 – 1

TOTALS FOR 12 MONTHS.

Revenue.	Board of Trade Proposals.	Proposals of the Company.
	Actual Losses.	Actual Losses.
£17,555 16 6	£2,037 10 6*	£126 – 6

* Equal to over 11 % of the total.

(F.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL

(Bridgewater, &c., Canals).

Rochdale Canal.

SUMMARY of Toll Traffic for the Months of April and October 1891, showing comparatively (*a*) Actual Revenue, (*b*) the Losses which would result from the Proposals of the Provisional Order, and (*c*) the Losses which would result from the Proposals of the Company.

Distance in Miles.	Weight in Tons.	Actual Revenue.	Board of Trade Proposals.		Rochdale Canal Company's Proposals.	
			Maxima.	Losses on Actual Revenue.	Maxima.	Losses on Actual Revenue.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
¼	3,453	16 5 –	64 14 3	—	91 7 4	—
½	6,173	41 1 11	93 1 8	—	131 2 4	—
¾	2,880	23 9 –	19 8 –	4 1 –	40 18 1	– 3 4
1	7,603	99 6 5	68 15 3	30 11 2	163 2 –	—
1¼	18,402	249 11 –	207 1 11	42 9 1	355 4 1	—
1½	1,909	41 3 5	25 18 11	16 16 9	49 5 4	—
1¾	3,276	54 17 6	41 16 –	14 2 4	68 9 8	—
2	10,996	237 4 5	145 17 –	91 7 5	269 8 3	—
2¼	354	7 1 4	4 10 2	2 11 2	8 9 11	—
2½	10,538	234 7 3	165 1 8	69 14 4	276 17 –	– – 4
2¾	1,865	44 6 2	34 10 4	9 15 10	45 1 6	8 8 6
3	1,271	27 8 6	22 3 4	5 5 2	29 11 2	—
3¼	—	—	—	—	—	—
3½	—	—	—	—	—	—
3¾	41	1 19 8	1 5 9	– 13 11	2 9 3	—
4	1,866	49 10 8	44 2 1	6 14 5	60 7 4	1 1 2
4¼	567	17 11 –	15 1 3	2 9 9	23 – 8	—
4½	136	3 4 6	3 4 8	—	4 5 5	—
4¾	88	2 18 8	2 1 3	– 17 5	2 1 3	– 17 5
5	499	13 – 4	15 11 11	– 2 8	19 4 4	—
5¼	—	—	—	—	—	—
5½	1,680	34 – –	54 12 –	—	65 2 –	—
5¾	438	18 2 –	9 19 8	8 2 4	12 18 5	5 10 –
6	147	3 13 6	2 15 2	– 18 4	3 12 3	– 4 8
6¼	100	2 12 2	1 19 –	– 13 2	2 17 10	—
6½	—	—	—	—	—	—
6¾	—	—	—	—	—	—
7	675	20 11 3	28 1 1	1 3 4	41 6 –	—
7¼	15	– 15 –	– 10 3	– 4 9	1 2 2	—
7½	91½	3 – 9	2 2 11	– 17 10	2 11 7	– 9 2
7¾	3	– 1 7	– 2 5	—	– 3 8	—
Carried forward	75,066½	1,247 3 –	1,074 7 11	309 12 2	1,769 18 10	16 14 7

TABLE (F.)—*continued.*

Distance in Miles.	Weight in Tons.	Actual Revenue.	Board of Trade Proposals.		Rochdale Canal Company's Proposals.	
			Maxima.	Losses on Actual Revenue.	Maxima.	Losses on Actual Revenue.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Brought forward	75,066½	1,247 3 –	1,074 7 11	309 12 2	1,769 18 10	16 14 7
8	40	– 13 4	1 7 6	—	1 15 8	—
8¼	1,241	33 14 9	48 – 10	—	64 14 11	—
8½	—	—	—	—	—	—
8¾	64	2 8 –	2 12 0	—	3 – –	—
9	—	—	—	—	—	—
9¼	95	3 3 9	3 1 0	– 2 9	3 13 5	—
9½	224	8 17 4	8 17 4	—	13 10 8	—
9¾	1,449	53 18 8	62 9 9	—	71 17 10	—
10	741	19 6 3	23 3 2	—	28 9 10	—
10¼	½	– – 10	– 10 –	—	– 7 6	—
10½	21	– 18 5	– 16 4	– 2 1	– 16 4	– 2 1
10¾	13	– 5 9	– 8 8	—	– 12 10	—
11	71	3 5 4	2 19 9	– 5 7	3 6 7	– – 7
11½	121	5 3 3	5 13 2	—	7 5 8	—
11¾	413 18/20	10 8 9	15 3 8	—	22 – 6	– – 1
12	445	11 2 6	16 2 8	—	17 12 10	—
12¼	66	3 7 7	4 – 10	—	6 4 2	—
12½	2,014	136 16 10	132 1 10	7 2 8	194 16 1	—
12¾	69	4 5 11	4 8 9	—	6 9 9	—
13	2,054	138 2 8	154 4 10	2 11 6	218 19 6	– – 1
13¼	19	1 – 5	1 5 8	—	1 16 6	—
13½	2	– 2 9	– 3 6	—	– 4 9	—
13¾	9,429	505 16 7	719 15 9	—	928 9 2	—
14	179	9 12 1	8 1 10	1 11 5	9 2 4	– 15 4
14¼	—	—	—	—	—	—
14½	20	– 15 –	1 – 3	—	1 1 3	—
14¾	—	—	—	—	—	—
15	274	15 2 8	14 9 7	– 13 1	17 13 5	—
15¼	23	1 9 3	1 5 1	– 4 2	1 15 11	—
15½	—	—	—	—	—	—
15¾	16	1 – 4	1 8 8	—	2 – 4	—
16	48	3 4 –	3 10 –	—	5 1 6	—
16¼	29	2 7 5	1 18 11	– 8 6	2 11 9	– – 6
16½	—	—	—	—	—	—
16¾	2	– 3 2	– 3 9	—	– 4 9	—
17	77	3 10 7	4 9 11	—	5 5 3	—
17¼	393	18 19 6	23 12 9	—	28 15 1	—
17½	140	8 – 5	8 7 1	1 3 4	9 10 10	1 3 4
17¾	20	1 9 7	1 3 9	– 5 10	1 9 –	– – 7
18	454	34 1 –	27 8 7	6 12 5	37 16 1	– 5 5
18¼	—	—	—	—	—	—
18½	202	10 17 5	12 15 1	1 3 4	15 3 9	—
18¾	—	—	—	—	—	—
19	—	—	—	—	—	—
19¼	—	—	—	—	—	—
19½	—	—	—	—	—	—
19¾	145	7 2 2	9 11 11	—	11 11 10	—
Carried forward -	95,680 18/20	2,303 7 3	2,401 2 1	331 18 10	3,515 6 5	19 2 7

TABLE (F.)—*continued.*

Distance in Miles.	Weight in Tons.	Actual Revenue.	Board of Trade Proposals.		Rochdale Canal Company's Proposals.	
			Maxima.	Losses on Actual Revenue.	Maxima.	Losses on Actual. Revenue.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Brought forward	95,680$\frac{18}{20}$	2,303 7 3	2,401 2 1	331 18 10	3,515 6 5	19 2 7
20	560	26 9 2	38 17 4	2 2 2	51 13 4	1 17 5
20$\frac{1}{4}$	—	—	—	—	—	—
20$\frac{1}{2}$	—	—	—	—	—	—
20$\frac{3}{4}$	—	—	—	—	—	—
21	253	33 3 1	31 11 2	1 11 11	41 18 2	—
21$\frac{1}{4}$	32	1 11 2	2 8 8	—	3 3 8	—
21$\frac{1}{2}$	269	23 5 11	32 3 –	– 2 7	38 19 7	—
21$\frac{3}{4}$	33$\frac{9}{20}$	4 12 6	9 9 1	—	6 7 8	– – 1
22	355	47 3 10	44 18 7	2 5 3	60 9 2	—
22$\frac{1}{4}$	404	31 16 4	35 16 1	– 11 7	47 7 5	—
22$\frac{1}{2}$	578	75 2 2	74 19 11	– 2 4	98 9 3	—
22$\frac{3}{4}$	51	7 5 7	6 13 –	– 12 7	8 14 7	—
23	1,376	111 8 6	141 6 2	– 4 6	182 14 3	—
23$\frac{1}{4}$	—	—	—	—	—	—
23$\frac{1}{2}$	903	69 15 10	96 19 1	—	121 7 –	—
23$\frac{3}{4}$	—	—	—	—	—	—
24	106	6 16 0	10 4 –	—	12 2 10	—
24$\frac{1}{4}$	—	—	—	—	—	—
24$\frac{1}{2}$	—	—	—	—	—	—
24$\frac{3}{4}$	—	—	—	—	—	—
25	—	—	—	—	—	—
25$\frac{1}{4}$	—	—	—	—	—	—
25$\frac{1}{2}$	—	—	—	—	—	—
25$\frac{3}{4}$	—	—	—	—	—	—
26	6	– 13 –	– 15 2	—	– 19 11	—
26$\frac{1}{4}$	11	1 4 10	1 10 4	—	1 16 10	—
26$\frac{1}{2}$	—	—	—	—	—	—
26$\frac{3}{4}$	—	—	—	—	—	—
27	—	—	—	—	—	—
27$\frac{1}{4}$	129	7 7 10	10 13 9	—	11 16 6	—
27$\frac{1}{2}$	—	—	—	—	—	—
27$\frac{3}{4}$	—	—	—	—	—	—
28	—	—	—	—	—	—
28$\frac{1}{4}$	—	—	—	—	—	—
28$\frac{1}{2}$	—	—	—	—	—	—
28$\frac{3}{4}$	—	—	—	—	—	—
29	8	– 18 2	1 2 –	—	1 8 6	—
29$\frac{1}{4}$	—	—	—	—	—	—
29$\frac{1}{2}$	42	3 3 0	3 10 8	—	5 – 8	—
29$\frac{3}{4}$	—	—	—	—	—	—
30	—	—	—	—	—	—
30$\frac{1}{4}$	—	—	—	—	—	—
30$\frac{1}{2}$	87	5 10 7	9 8 6	—	12 17 5	—
30$\frac{3}{4}$	—	—	—	—	—	—
31	38	2 5 11	4 3 7	—	5 12 4	—
31$\frac{1}{4}$	—	—	—	—	—	—
31$\frac{1}{2}$	—	—	—	—	—	—
31$\frac{3}{4}$	—	—	—	—	—	—
Carried forward -	100,922$\frac{7}{20}$	2,763 – 9	2,957 12 2	339 11 9	4,228 5 6	21 – 1

TABLE (F.)—*continued.*

Distance in Miles.	Weight in Tons.	Actual Revenue.	Board of Trade Proposals.		Rochdale Canal Company's Proposal.	
			Maxima.	Losses on Actual Revenue.	Maxima.	Losses on Actual Revenue.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Brought forward	100,922$\frac{1}{20}$	2,763 – 9	2,957 12 2	339 11 9	4,228 5 6	21 – 1
32	411	37 12 9	50 18 3	—	71 12 2	—
32$\frac{1}{4}$	—	—	—	—	—	—
32$\frac{1}{2}$	—	—	—	—	—	—
32$\frac{3}{4}$	—	—	—	—	—	—
33	1,182	47 2 9	105 6 2	—	154 6 3	—
Totals - -	102,515$\frac{1}{20}$	2,847 16 3	3,113 16 7	339 11 9	4,454 3 11	21 – 1
Add Light Dues on Empty Boats - -		78 3 2	204 – –	—	254 17 –	—
	£.	2,925 19 5	3,317 16 7	339 11 9	4,709 – 11	21 – 1

TOTALS FOR 12 MONTHS.

Revenue.	Board of Trade Proposals.	Proposals of the Company.
	Actual Losses.	Actual Losses.
£. s. d.	£. s. d.	£. s. d.
17,555 16 6	2,037 10 6*	126 0 6

* Equal to over 11 per cent. of the total.

(G.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL (Bridgewater, &c., Canals).

Rochdale Canal.

SUMMARY of Toll Traffic passed for distances not exceeding Five Miles during the months of April and October, 1891, showing comparatively (*a*) the Actual Revenue, (*b*) the Losses which would result from the Board of Trade Proposals, and (*c*) the Losses which would result from the Proposals of the Company.

Class.	Weight in Tons.	Actual Revenue.	Losses of Actual Revenue.	
			Under the Proposals of the Board of Trade.	Under the Proposals of the Company.
		£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
A	31,676	444 10 6	84 4 4	9 9 3
B	21,882	393 4 1	110 14 9	1 1 2
C	11,296	221 18 5	75 – 1	Nil.
1	5,894	92 10 6	26 16 8	– – 4
2	144	2 2 9	– 15 3	Nil.
3	956	8 – 5	– 9	Nil.
4	11	– 5 8	– – 5	Nil.
5	58	1 14 5	– – 2	Nil.
2 Months	71,917	1,164 6 9	297 12 5	10 10 9
		– – 6	– – 6	– – 6
Total for 12 Months - - -		6,986 – 6	1,785 14 6*	63 4 6

* 22½ per cent. of Tolls Revenue.

28 *June* 1894.

(H.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(Bridgewater, &c., Canals).

Rochdale Canal.

SUMMARY of Toll Traffic passed for Distances not exceeding Five Miles during the months of April and October 1891, showing comparatively (*a*) the Actual Revenue, (*b*) the Losses which would result from the Proposals of the Provisional Order, and (*c*) the Losses which would result from the Proposals of the Company.

Distance.	Weight in Tons.	Actual Revenue.	Losses on Actual Revenue.	
			Under the Proposals of the Board of Trade.	Under the Proposals of the Company.
		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
¼	3,453	16 5 –	—	—
½	6,173	41 1 11	—	—
¾	2,880	23 9 –	4 1 –	– 3 4
1	7,603	99 6 5	30 11 2	—
1¼	18,402	249 11 –	42 9 1	—
1½	1,909	41 3 5	16 16 9	—
1¾	3,276	54 17 6	14 2 4	—
2	10,996	237 4 5	91 7 5	—
2¼	354	7 1 4	2 11 2	—
2½	10,538	234 7 3	69 14 4	– – 4
2¾	1,865	44 6 2	9 15 10	8 8 6
3	1,271	27 8 6	5 5 2	—
3¼	—	—	—	—
3½	—	—	—	—
3¾	41	1 19 8	– 13 11	—
4	1,866	49 10 8	6 14 5	1 1 2
4¼	567	17 11 –	2 9 9	—
4½	136	3 4 6	—	—
4¾	88	2 18 8	– 17 5	– 17 5
5	499	13 – 4	– 2 8	—
Total for 2 months -	71,917	1,164 6 9	297 12 5	10 10 9
		– – 6	– – 6	– – 6
Totals for 12 months - - -		£6,986 – 6	£1,785 14 6*	£63 4 6

* 22½ per cent. of tolls revenue.

(I.)

SUMMARY of Typical Articles carried on Freight Locally during Six Months ended 30th June 1893, showing the actual Charges thereon, as compared with the powers proposed by the Canal Company.

Class.	Actual.				Rochdale Canal Company's proposed Maximum Powers—*Vide* Revised Schedule.
	Weight.			Amount.	
	Tons.	*Cwts.*	*Qrs.*	£. *s.* *d.*	£. *s.* *d.*
C	2,303	9	2	570 6 5	598 19 5
1	195	1	2	46 14 1	55 – 2
2	240	3	3	88 17 7	99 – 7
3	4,568	4	2	1,635 1 11	2,277 15 6
	7,306	19	1	2,341 – –	3,030 15 8

The Rates on Class 3 Traffic, included herein, are mainly Special (low) Rates on Cloth carried in competition with the Railways and Carriers by Road.

(J.)

ROCHDALE CANAL COMPANY.

Railway and Canal Traffic Act, 1888.

Schedule of Maximum Rates, Charges, and Tolls under Existing Acts of Parliament.

1. Maximum Rates for Conveyance of Merchandise by the Company.
(There are no Acts of Parliament in existence regulating these Charges.)

2. Maximum Tolls for the use of the Canal by Bye-traders.

Articles.	Act 34 Geo. III., Section 95.		Act 40 Geo. III., Section 23.		Act 46 Geo. III., Section 13.		Maximum Tolls authorised.	
	Not passing through any lock.	Passing through any lock.	Not passing through any lock.	Passing through any lock.	Not passing through any lock.	Passing through any lock.	Not passing through any lock.	Passing through any lock.
	Rate per ton per mile.		Rate per ton per mile (additional).		Rate per ton per mile (additional).		Rate per ton per mile (total).	
	d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
Lime	½	1	½	½	½	½	1½	2
Limestone	½	1	½	½	–	–	1	1½
Dung	½	1	½	½	½	½	1½	2
Manure	½	1	½	½	½	½	1½	2
Marl or other minerals	1	1½	–	–	½	½	1½	2
Clay	½	1	½	½	½	½	1½	2
Sand	½	1	½	½	½	½	1½	2
Gravel	½	1	½	½	½	½	1½	2
Coal	1	1½	–	–	½	½	1½	2
Cannel	1	1½	–	–	–	–	1	1½
Stone (except limestone)	1	1½	½	½	–	–	1½	2
Other minerals	1	1½	–	–	½	½	1½	2
Timber	1½	2	½	1	–	1	2	4
Goods	1½	2	½	1	–	1	2	4
Wares, merchandise, and other commodities	1½	2	½	1	–	1	2	4

3. Maximum Charges for Lockage.
Rochdale Canal Act, 34 Geo. III. c. 78, Section 107.

Boats only partially Loaded.	Minimum Charge	
	When the water does not flow over the Waste Weirs.	When the water does flow over the Waste Weirs.
Single Boats passing through a Lock	As for 20 Tons.	As for 15 Tons.
Pair of Boats passing through a Lock at the same time	As for 20 Tons.	As for 15 Tons.

(J.)—*continued.*

3. Maximum Charges for Lockage—*continued.*

Rochdale Canal Act, 47 Geo. III., c. 81, Sections 5 and 6.

Boats with or without Cargo.	Minimum charge.	
	When the water does not flow over the Waste Weirs.	When the water does flow over the Waste Weirs.
Single Boats loaded or unloaded passing through a Lock.	As for 20 Tons.	As for 15 Tons.
Pair of narrow Boats loaded or unlaaded passing through a Lock at the same time.	As for 20 Tons.	As for 15 Tons.

4. Maximum Rates for Wharfage.

Article.	Whether Rochdale Canal Company's or Private Owner's Wharves and Quays.		
	34 Geo. III., Cap. 78, Section 98.	46 Geo. III., Cap. 20, Section 16.	Total Per Ton for any period not exceeding 10 days.
	Per Ton.	Additional Per Ton for any period not exceeding 10 days.	
	d.	*d.*	*d.*
Coal	1	1	2
Lime	1	1	2
Limestone	1	–	1
Clay	1	1	2
Iron	1	1	2
Ironstone	1	1	2
Timber	1	1	2
Stone (except Limestone)	1	1	2
Bricks	1	1	2
Tiles	1	1	2
Slates	1	1	2
Sand	1	1	2
Gravel	1	1	2
Any other goods or things	3	–	3

Note.—Act 46 Geo. III., Cap. 20, Section 16, authorises these charges on all Goods which shall be loaded, landed, or discharged from, upon, or at, any Wharf or Quay, in like manner as if the same had been deposited.

Mr. *Brierley*—continued.

2579. With regard to the bonus mileage that you ask for, to begin at the Manchester end, is the junction between the Rochdale Canal and the Bridgewater Canal at Castlefield Lock?—The junction with the Bridgewater Canal is at Castlefield Lock.

2580. It is shown on the third of the maps before his Grace?—Yes.

2581. You are asking that that part of the canal between Castlefield Lock and Brownsfield Lock should be taken as equal to a distance of five miles?—Yes, or any part of it.

2582. What is the actual length of that section of the canal?—The actual length of the section is a mile and a-half.

2583. I want you to describe this particular part of the canal; beginning at Castlefield Lock up to Dale-street Lock, there are 10 locks?—Yes.

2584. Is it in the heart of Manchester?—Yes.

2585. Just describe the condition of the canal between those points?—It is the narrowest part of the canal, and it is incapable of expansion, that is to say, in lateral width; it is hemmed in with buildings the whole way, or practically the whole way.

Sir *Richard Paget.*

2586. What is the width at the narrowest part?—Under 40 feet; there are parts at which two boats of 14 feet each can barely pass; it is under 40 feet at some points.

Mr. *Brierley.*

2587. There are buildings upon both sides of the canal, are there not?—Yes.

2588. What do you say as to that part of the canal as being an expensive part?—It is a very expensive part; it is built upon each side with walls the entire distance, which is a considerable source of expense, and the locks are worn a great deal more where the traffic is so great as it is there, and altogether we regard it as the most expensive bit of our system, both for structure, maintenance, and supervision.

2589. Is there a very heavy traffic upon that portion of the canal?—Yes.

2590. The boats going immediately one after another?—Going up and down continuously day and night as fast as they can go.

2591. Do you have to bring water to supply that part of the canal from the reservoir?—From the Hollingworth Reservoir 18 miles off.

2592. That is right up in the moors, 18 miles from this part of the canal?—Yes.

2593. Does that increase the expense of working this part of the canal considerably?—Certainly.

2594. Having got to the Dale-street Lock, what is the next point that you come to; do you then come to the Dale-street Basin?—Dale-street Basin, that is our large traffic terminus depôt. It consists of a very large range of warehouses of various kinds all up to date, equal to anything the railway companies provide; it is right in the heart of Manchester, close to the London-road Station; there are docks under it for the purpose of boats going under it, and altogether it is laid out to facilitate traffic, and I do not see how it can be improved.

Mr. *Brierley*—continued.

2595. That is a large terminal station?—Yes.

2596. Equal to any railway accommodation?—I think so.

2597. Now at Dale-street Basin does the Ashton Canal come in?—The Ashton Canal Junction is about a mile from the Dale-street Basin running at right angles.

2598. The Ashton Canal is at a higher level than the Rochdale Canal, looking down into the Rochdale Canal?—Yes.

2599. Then you get to the next lock, Brownsfield Lock?—Yes.

2600. That is the point where the particular bonus mileage is to terminate?—Yes.

2601. You say that the whole of the distance between Castlefield and Brownsfield is exceptionally expensive both in cost of construction and in maintenance?—I do, and in addition to that it is subject to 839*l.* 19*s.* 6*d.* of perpetual chief rents.

Lord *Herries.*

2602. To whom is it paid?—Lord Ducie is the largest receiver; about a dozen are the representatives of the original landowners or their assignees.

Chairman.

2603. What do you call it?—It is the system of chief rents.

Mr. *Moon.*

2604. It is a system of feuing; they have it in Manchester as well as in Scotland?—£839 19*s.* 6*d.* is the amount per annum. Over the whole of the rest of the undertaking the amount is 881*l.* 2*s.* 4*d.* net. That is after allowing receivable chief rents which reduce the gross chief rent, which is 3,379*l.* 9*s.* 3*d.*; if you deduct the receivable chiefs over the whole, 1,658*l.* 7*s.* 5*d.*, it leaves you the net total payable, 1,721*l.* 1*s.* 10*d.* Now 839*l.* 19*s.* 6*d.* of that total 1,721*l.* 1*s.* 10*d.* is payable on land forming the site of this short section, and the balance 881*l.* 2*s.* 4*d.* is payable on the various other sections of the canal.

Chairman.

2605. There is a debt upon that portion of 1721*l.*?—The debt upon that portion is 839*l.* 19*s.* 6*d.*, out of the 1,721*l.* The balance is payable on the other sections of the canal.

Mr. *Brierley.*

2606. That is per annum?—Yes.

Sir *Richard Temple.*

2607. In other words, you had not to raise originally the money to purchase the land?—That is it.

Mr. *Brierley.*

2608. Is there anything you want to add about that particular portion of the canal?—I think not.

2609. Passing fron Brownsfield Lock onwards towards

Mr. *Brierley*—continued.

towards Rochdale, till you get to the Failsworth Lock, will you describe the course of the canal.

[*The witness explains the section to the Committee.*]

2610. What is the distance from the last lock?—After three and a half miles you reach Failsworth Lock.

2611. The Board of Trade propose to give you double mileage for that distance?—Yes, and that we are satisfied with.

2612. As well as the Castlefield portion?—Yes.

2613. With that you are satisfied?—As regards the section between Brownsfield and Failsworth, yes.

2614. As to that section, is it also in Manchester practically?—Practically it is. Manchester has recently been extended, and practically all the pool from beginning to end, is in Manchester.

2615. The City of Manchester extends to Failsworth?—Yes.

Sir *Richard Paget.*

2616. Are the rates which the Board of Trade propose to give you the same as your existing rates?—No, they would not cover our actual rates by the amount of the loss which I show.

2617. Are your actual rates up to your full power to charge?—No, except in the lowest stages of all. The short distance is not near it.

Mr. *Brierley.*

2618. On some portion of your traffic they are?—Yes, in the short section of the traffic they are.

2619. In what we are dealing with at present?—They are not anything like our maximum up to Failsworth. From Castlefield to Brownsfield they would be to considerable extent; above that they are very far within our powers.

2620. I believe that portion of the canal between Brownsfield and Failsworth is very expensive?—Yes, it is rather expensive. Then proceeding on there are 18 locks of our short distance trade which leads to great expense in overlooking the water; and there is an important point with regard to this. This reach is the first pool in the canal which in any sense can be used as a reservoir. If we had not these locks, if we could occasionally have a pool three or four miles long, we could use it as a reservoir. But there is no length of anything at all. This is the best part of the reach which can in any sense be used as a reservoir.

Sir *William Houldsworth.*

2621. What length of pool have you there?—About a mile and three-quarters.

Mr. *Brierley.*

2622. The section between the Brownsfield Lock and Failsworth is only in a less degree expensive than the Castlefield section?—That is so.

2623. For that the Board of Trade propose to allow you double mileage, and with that you are content?—Yes.

Mr. *Brierley*—continued.

2624. The next bonus you ask for is at the summit level, I believe?—Yes.

2625. Is the summit level 600 feet?—Yes, 600 feet above datum.

2626. What distance is that?—It is 18 miles from Manchester.

2627. What is the length of the pool?—It is three-quarters of a mile.

2628. You ask that for that you shall be allowed for five miles?—Yes.

Lord *Hawkesbury.*

2629. Is this open or in tunnel?—It is a daylight route.

Mr. *Brierly.*

2630. That summit pool is not long enough to use as a reservoir, is it?—No, one boat going through in each direction lets it down, and we have to run water specially for it.

2631. You run water from your reservoir to pass every boat?—Yes.

2632. You consider that five miles would be a fair allowance for that summit level?—I think it fair relatively to what Parliament has already decided. We have been governed in this matter by what was done in the Leeds and Liverpool case. The Leeds and Liverpool have three summit levels; they have one four miles long, the nearest to our system in point of distance is four miles long, and they were given nine miles for it. Now, that is a far handsomer concession to them than to give us five or six miles would be to us, by reason of their ability to use it to a large extent as a reservoir.

2633. That you are unable to do?—That we are unable to do.

2634. From the short length of the level?—Yes.

2635. The next bonus is at the Calder and Hebble end of the canal, the Sowerby Bridge end?—Yes.

2636. You ask for three miles from Sowerby Bridge terminus. Is there a lock called Brierley Lock?—Yes.

2637. Is that three miles from the terminus?—Yes.

2638. You ask to have the mileage between Brierley Lock and your terminus at Sowerby Bridge?—Yes.

2639. Just describe that section of the canal to the Committee?—It contains six locks; four in the heart of Sowerby Bridge, with a heavy rubble retaining wall and embankment and a short tunnel. There is a heavy retaining wall from beginning to end of that section, and an aqueduct to be maintained, and altogether it is a very heavy job indeed.

2640. It is three miles long?—Yes.

2641. You say that that section is an expensive one to maintain?—Yes.

2642. Specially expensive?—Yes, there are very heavy river walls: it is practically put in the side of a hill, and has to be retained there. It is a very heavy job structurally.

2643. That is all the bonus mileage?—Yes, that is all the bonus mileage. I should like to say that we have been somewhat guided by the Leeds and Liverpool precedent in this case. They were awarded five miles.

2644. We

Chairman.

2644. We have not the Leeds and Liverpool before us, and it is very difficult to compare them?—That is so, your Grace; but I was endeavouring to explain my views for the justification of what we ask. At the Leeds and the Leeds and Liverpool Company were awarded five miles double mileage. We ask for three miles. I say that the works at our end are very much bigger as works, and more expensive to maintain, than the works in the section where they have been awarded five miles double mileage. We ask for three miles, which we think is a reasonable proposition.

Lord *Hawkesbury.*

2645. There were special circumstances at the Leeds end of that canal, were there not, owing to the summit pool there?—Yes, they got in that case the summit pool special allowance in addition within that area. They get the two things; first, the summit pool, if utilised; and they also get a double mileage for five miles. We ask for three miles without the summit pool.

Sir *Richard Paget.*

2646. Is there any space in the whole of that for which you ask the bonus mileage that would give you a power of charge in excess of your present powers?—I think not, possibly it might for very short-distance traffic up to the first lock. It would not operate to any great extent; it is impossible.

Mr. *Young.*

2647. Upon this portion of the canal, in which 74 per cent. of your traffic is, are you in competition with the railway?—Yes, we are in sompetition with the railway, and with the road, which is a more formidable competition.

2648. I take it that it is to your interest to have low charges upon this canal in consequence of competition with the railway?—Distinctly, so far as we can be paid for what we provide. We part with some of our corpus each time a boat passes from another navigation to ours.

2649. Would you regulate the prices in such a manner as to secure freight?—The competition would do it inevitably. There is the road, which is perhaps of the two a more formidable competition than the railways.

2650. You ask for three or four bonus changes. Are there any of these changes on portions of the canal which do not come into competition with the railways?—Not one, not an inch of it.

2651. So that you are controlled by the railway companies in all your charges?—Absolutely and by the roads.

Mr. *Brierley.*

2652. Is the road a very serious competition?—Yes, more serious than the railway. The road is in competition with us all the way between Todmorden and Manchester.

Sir *Richard Paget.*

2653. Is your canal pretty full of traffic, or can you admit more?—We are advised that if there is a large increase of our traffic it will be necessary to spend a large amount of capital to provide additional reservoir accommodation. Some years ago, before we determined to carry, we had this problem before us very seriously. We did not see the wherewithal to provide the money, and I recommended, and have been of opinion for many years, that a very great saving of water might be obtained by concentrating the working. When we commenced to carry we bought up two or three of the largest carriers and concentrated their working, and the result is shown in that Table; I think it is marked D. In the year 1887, that is the year before we commenced to carry at all, and were properly toll-takers, there was a gross tonnage of 665,370 tons on the whole navigation; and the number of boats employed in carrying that traffic was, 18,997 loaded and 5,774 empty, for which charges were made; a light boat is an empty boat, but we charge light dues; that is, for an empty boat; so that the sum total of the empty boats would be 12,000. Out of the 18,997 boats loaded there were over 12,000 empty boat journeys. The total number of boat journeys in working full traffic was 31,345. Now, to show the effect of concentrated working, I come to the year 1891; we had then been working two years as carriers, the bye-traders going on as before; we did not interfere with the traffic that they had been carrying. The tonnage is, within four, the same. The loaded boats are practically the same; there is only 97 difference, but there is a material reduction in the empty boats which are worked, a large proportion of which were going over the summit pool, and that meant, therefore, a saving of lockage. The result is, that to pass the same tonnage in 1891 there are 2,018 boats less employed than in the year 1887. Now those 2,018 boats obviously would require 2,018 locks of water at least, because a very large proportion worked over the summit, we having taken the summit working in our own hands, concentrated it, and therefore, instead of a boat going from Lancashire to Yorkshire taking two locks of water to our summit and coming back empty, it went forward for two locks, had a load there, and went back again. That is the object of the Table.

Sir *Richard Paget*—continued.

Mr. *Spicer.*

2654. What were your profits in the three years?—They have gone to vanishing point.

2655. You say that in 1817 you economised?—It is in the water alone. The practical result has been this: every year that was at all droughty we were in difficulties in the middle of the summer, and we had to reduce the draught and restrict the working. In 1893, which was the most troublesome year known to canal men, we went within a month of stopping.

Sir *Richard Paget.*

2656. Then the result of this operation which you have described to the Committee has been to enable you to get more work out of your canal enterprise than you were able to do before?—That is so.

2657. But the question that I asked you was, what is the existing state of your canal as to its capacity for undertaking a larger amount of work than you at present have?—I should not like to say

Sir *Richard Paget*—continued.

say that we could not pass more traffic, be we have been advised by engineers that we are really nearly at the end of our resources, unless we spend a large amount of money in providing additional reservoirs.

2658. Would a reduction of rates give you a larger return by an increase of traffic?—I think not. It may induce a larger traffic, and run our reservoirs dry, and we should have nothing to pass it with then, and the revenue from it would not compensate for the loss of water. We are not like the canals of the lower reach; we run off our water down to the junction with the adjoining canals until everything is dry.

Mr. *Spicer.*

2659. Can you give give me the net revenue for those three years; you have given it for 1891?—I am afraid I have not the accounts with me.

2660. Can you answer specifically the question which Sir Richard Paget put as to what extent of traffic you can do between Castlefield and Brownsfield?—I do not think it possible to pass much more between those points; the boats are going night and day as fast as we can get them through.

Sir *William Houldsworth.*

2661. How many locks are there?—There are 10.

Mr. *Spicer.*

2662. Then this extraordinary accommodation which you have at Dale-street Basin is practically full; you could not make any more use of it?—We could make more use of it. The buildings are in excess of the requirements.

2663. How much more do you think you can do? You say you have more warehouse accommodation in Dale-street Basin than you have canal accommodation to fill?—I think so. I think we are rather upon that side than the other way; there is more warehouse accommodation than capacity upon the canal at that point to carry it.

Mr. *Brierley.*

2664. Apart from the question of water would the section of the canal between Castlefield and Brownsfield accommodate much more traffic than it does at present?—I do not think it would.

2665. The Committee asked you as to your profits for three years, between 1887 and 1892; that you cannot give?—No.

2666. Can you give the dividend paid by the canal, that would be some indication of it?—Yes.

2667. Even then that is a poor indication, because you were receiving money from the railway company?—Yes, we were receiving money which we are not receiving now. In 1892 we paid a dividend of 1*l.* a share upon 85*l.*, a portion of which had come from the railway company's payments.

Lord *Hawkesbury.*

2668. When did your connection with the railway company cease?—In 1892.

Mr. *Brierley.*

2669. Even if the Committee granted you this bonus mileage that you propose, would you still incur a serious loss?—Yes, we should, it would not cover our present revenue.

2670. Have you worked out what the loss would be?—Yes, I have got it here.

2671. It is not shown the Table. The figures proposed by the Rochdale Canal Company are shown in the Table, but that includes the proposal for the higher toll which you have not gone into?—That is so.

2672. In having the bonus mileage alone, which you propose with the tolls proposed by the Board of Trade, would you still incur a loss?—We should.

Mr. *Spicer.*

2673. I understand you are patriotic enough, and will be quite content in future if you get the toll you ask to employ the 421,000*l.* of capital without any return. You say you cannot take any increased traffic; therefore, you would be quite content with practically devoting this 421,000*l.* to the service of the public?—Yes; we are practically in the position that we cannot help ourselves.

2674. But you do not ask for anything more?—Perhaps I have been too modest, now I come to think of it. Our committee think that I have not asked enough, but I have had to be guided by what has been done with other companies. I felt that ours is a very extreme exceptional case, but we must not put it too high, otherwise we shall not get what we want. I put it as reasonably as I could. That is the only answer I can give.

Chairman.

2675. How did your connection with the railway cease; by Act of Parliament?—No, by mutual arrangement.

Lord *Hawkesbury.*

2676. Was it the Lancashire and Yorkshire Company?—Several companies were interested.

Cross-examined by Mr. *Balfour Browne.*

2677. I will come to your association with the railways immediately. First of all, looking at the plan, I see it shows the three routes from the east to the west of England?—Yes.

2678. First, dealing with the one shown in yellow, that is the Huddersfield route, we have heard that that in many ways is an inconvenient route?—It is not so convenient as the central route.

2679. Then with regard to the other route, the Leeds and Liverpool route, the Leeds and Liverpool Canal is an independent canal?—Yes.

2680. I see you put down for the convenience of the Committee the distance of the Leeds and Liverpool route as compared with the distance by your Rochdale route?—Yes.

2681. It

Mr. *Balfour Browne*—continued.

2681. It is 160 miles by the Leeds and Liverpool route as against 128 miles by your route?—Yes.

2682. Therefore, I take it you have the best route from the east to the west of England?—As the manager of it I should certainly agree with you.

2683. Was your canal leased for a considerable time to a railway company?—About the year 1845 all the canals in the north were very busy indeed in endeavouring either to lease themselves to railways, or to be amalgamated with railways. The Aire and Calder, and the Calder and Hebble were, I believe, already leased. The Leeds and Liverpool either then or soon afterwards was leased and we were left alone, but eventually we succeeded in becoming leaser to a railway company.

2684. You were leased in 1845 to that railway company?—No, we were leased in 1855.

2685. How long did that lease continue?—Twenty-one years.

2686. Terminating when?—In 1876.

2687. From 1876 down to the present time you have been what you may call an independent canal, perfectly free from railway control?—Yes.

2688. On what condition or on what ground since 1876 have the railway companies been paying you money; we hear that your dividends were paid partly out of money which you got from the railway companies. Why did they do it; what was the consideration?—Perhaps I cannot use a better phrase than this: We did not make a new arrangement; we continued the old one.

2689. Then you were not at that time perfectly free from railway control?—During the lease, and ever since, the Rochdale Canal has been administered as freely as if there had bee no arrangement at all.

2690. Will you try and answer the questions Since 1876, when the lease terminated, what sums of money have you received from railways?—A considerable sum, but I cannot at the moment give you it.

2691. A large sum altogether?—Yes, a considerable sum; 7,000*l.* or 8,000*l.* a year it has averaged.

2692. What for; was it merely out of liberality?—It was a continuation of the terms under the lease of 1855.

2693. So, in short, in 1876, though you because a free canal, the lease was still continued, and you were subsidised by the railway company?—Practically that was so.

2694. When did all the payments from the railway companies cease?—In 1892.

2695. For the purpose of your getting your tolls enhanced here?—No, certainly not. Directly the Act of 1888 was passed——

2696. The Act of 1888 being the Act under which this Committee is revising your tolls?—Yes. Directly it was passed we came to the conclusion mutually that we had better part, that is to say, that the arrangement had better terminate. We were then in a position that we could see that it would be a serious matter for us to have this thing drop all at once, and there was an understanding come to that they would pay us a sum equal to 7,500*l.* a year.

Mr. *Balfour Browne*—continued.

2697. Even after 1888?—Even after 1888.

2698. For how long?—It terminated in 1892.

2699. The very time you were to bring your Schedule before the Board of Trade?—It had nothing to do with that.

2700. All the figures that you have put before the Committee, as elicited by a member of the Committee, are made up on the year 1891?—Yes.

2701. Therefore, in 1891, you were preparing figures for the very purpose of laying them before the Board of Trade with a view to a revision of the tolls?—We were preparing figures on the actual traffic that passed, and all I have said has had absolute reference to the actual traffic.

2702. Leaving out the railway companies subsidy, has your traffic increased or diminished in recent years?—These last two or three years it has diminished.

2703. That is owing to strikes?—Yes.

2704. Looking to the weight of traffic up to the last few years, there seems to have been no diminution. Can you give me the tonnage of 1893?—The gross tonnage in 1893 was 603,440.

Sir *William Houldsworth.*] In Table D. they give the gross tonnages for 1887, 1891 and 1892. Then we may add to those the figure which the witness has just given us for 1893.

M. *Balfour Browne.*

2705. Yes. (To the *Witness.*) You have told the Committee that there were exceptional circumstances in 1893?—Yes.

2706. Strikes?—Yes.

2707. And drought?—Yes.

2708. Both those militated to some extent against your traffic?—Yes.

2709. Looking back however to the three years you have given in the Table before the Committee, Table D., it seems practically stationary for those three years?—Yes.

2710. I have here two other years, are these figures right. In 1886, tonnage 667,127?—Yes.

2711. And in 1885, 700,913?—Yes.

2712. I have here the receipts from those tonnages in 1885 and 1886, and you can can check me. In 1885 you got 21,282*l.*?—Yes, that is correct.

2713. And in 1886, 20,872*l.*?—Yes.

2714. And in 1887 were your receipts 20,019*l.*?—Yes.

2715. Then I come to 1889. I have not got the receipts for 1888.

Sir *William Houldsworth.*] We have not the tonnage either in Table D.

Mr. *Balfour Browne.*

2716. (To the *Witness.*) Can you give the gross tonnage and the receipts for 1888?—Tonnage 686,119 tons, and receipts 19,450*l.*

2717. That is rather an important year, because that is the year when you and the railway companies took into consideration the advisability of parting. Did you in that year, 1888, greatly increase the rates?—We commenced to carry in that year.

2718. Before that year you had been simply toll takers?—Yes.

 2719. You

Mr. *Balfour Browne*—continued.

2719. You then commenced to carry; were the rates then largely increased?

Mr. *Moon.*] Do you mean rates or tolls?

Mr. *Balfour Browne.*

2720. I mean tolls. (To the *Witness.*) In that year were the tolls largely increased?—Not that I am aware of. I do not recollect.

2721. Is this true; this is in the examination of Mr. Yates: "What was the original through toll per ton on the Rochdale Canal from Wakefield to Manchester, counting only the Rochdale Canal and leaving out the Calder and Hebble, say before 1888? (*A.*) One shilling and fourpence per ton through." Is that right?—That was a special toll on malt.

2722. "Was that toll subsequently increased? (*A.*) Yes. (*Q.*) When was it increased? (*A.*) At the beginning of 1888. (*Q.*) What was it increased to? (*A.*) Two shillings and eightpence"?—That is a misprint. It should be, "beginning with 1889."

2723. "What was it increased to?—(*A*) 2*s.* 8*d.*" Is that true?—No.

2724. What was it increased to?—Two shillings. It was a long time ago. I must explain. The figure that was fixed for the malt was fixed by an agreement with a bye-trader who was in that trade, with us as carriers in another trade. It was agreed that he should pay that toll on that traffic and other traffic for which special tolls were fixed; he was not to interfere with us as carriers, and we were not to interfere with him. It was an agreement which was mutual. The thing went on for a considerable time till it was broken, as I am advised, by the other party. You must not take that alone.

2725. Then I go on with my Table. You told us that in 1888 the receipts were 19,000*l.* odd?—Yes.

2726. Now I go to 1889, after what we say was a raising of the tolls, and after you began to carry. Was the tonnage 671,258 tons?—Yes.

2727. And the money 28,788*l.* 19*s.* 1*d.*?—You are wrong there.

2728. What ought it to be?—The tolls on that 671,258 tons were 18,081*l.*

2729. Are you sure of that?—Yes.

2730. What under those circumstances did you receive for carrying in 1889?—You ask me the freight in that year, we carried 51,307 tons, and the money was 17,324*l.*

2731. Add those two together, the 17,000*l.* and what you gave me before, and the total amount would be 35,000*l.*?—Yes, gross.

2732. Now in the next year, 1890, was the tonnage 682,786?—683,790.

2733. What was the money?—£18,022 in tolls.

2734. And the freight?—£21,593.

2735. Can you from that figure, which you say is gross, take off the freight expenses and let us see what you received net for freight?—No.

2736. Is not it the fact that taking off the expenses from the gross, your total receipts, tolls, and profits on the carrying were in that year 26,886*l.*?—I cannot from memory tell you.

Mr. *Balfour Browne*—continued.

2737. I come to 1891; was the tonnage 665,374?—Yes.

2738. And the money 29,451*l.* 7*s.* 8*d.*?—That is all wrong.

2739. What ought it to be?—£16,645 tolls, and 32,605*l.* freight.

Mr. *Moon.*] Where do your figures come from, Mr. Browne?

Mr. *Balfour Browne.*

2740. They come from the accounts of the Rochdale Canal Company. I have here December 1891, and I find on your revenue account, "Traffic Account, 58,902*l.*; less carrying department expenses, 31,450*l.*, leaving 27,451*l.*"?—What you are looking at is the statement made up by the accountant and passed by the auditors. Without referring to the detail I could not give you a proper reply.

2741. Do you say this is inaccurate?—No; I do not say that it is inaccurate, but I cannot verify it without going into the details.

2742. In that 32,000*l.* that you gave as freight there is nothing, of course, debited for tolls to yourselves?—No.

2743. The tolls apparently in these figures go down regularly year by year?—Yes.

2744. Since you began to carry, the freights go up?—Yes. I will explain how that is. We started carrying in this way, we bought up one carrier on the canal, and he changed from being a toll payer to being a freight carrier. That is one man. We took over another in the same way, and we took over a third, and we took over a fourth. The Bridgewater Navigation Company, who are the largest carriers on the Rochdale Canal, dropped their carrying altogether to Todmorden, and we took it up, and therefore what was previously toll traffic became freight-earning traffic.

2745. You are running the bye-traders off the canal, and getting the whole of the traffic into your own hands?—Distinctly nothing of the kind.

2746. Is it not a fact that the toll-paying traffic has been going down?—Yes.

2747. Therefore you have received less from tolls than formerly?—Yes.

2748. You told us that you bought up some of the businesses of bye-traders?—Yes.

2749. They are no longer trading on the canal?—They are no longer trading on the canal now.

Mr. *Moon.*] Whom do you appear for?

Mr. *Balfour Browne.*] For the Mining Association and for the Calder and Hebble.

Mr. *Moon.*] They have nothing to do with this, the Calder and Hebble are not carriers; at any rate they are not interested in our tolls.

Mr. *Balfour Browne.*

2750. I will show you how we are interested. (To the *Witness.*) Is not it a fact that you have got more and more of the trade into your hands since you began in 1888?—Obviously we have got more, because we started from zero, and in the year you talk about we carried 82,892 tons of traffic.

2751. If the receipts in 1891 were 20,000, how

is

Mr. *Balfour Browne*—continued.

is it they have now fallen in 1893 to 12,795*l.*?—By the operation of that arrangement that I told you of, the Bridgewater Canal gave up carrying to and from Todmorden by arrangement, and they do not carry now along the Rochdale Canal. Prior to this date the tolls were paid to us on the whole of the traffic from Manchester to Todmorden; now, instead of being toll traffic between Manchester and Todmorden, it is one entirely of freight.

2752. Is not the arrangement between the two companies that the one should trade to Todmorden and the other should trade to another part?—Partly that.

2753. What is the arrangement?—The arrangement is that they are to carry to and from Rochdale, and we to carry to and from Todmorden.

2754. You do not compete with them, and they do not compete with you?—Quite so.

2755. If competition is any benefit to the public, it does not exist now upon the canal?—The competition, whatever it is, the trader has got the benefit of.

2756. You mean that the people that employ you to carry for them get the benefit?—No, I do not mean that. The only benefit that comes to us is this saving of water over our summit level. That was the inducement to us to come to the arrangement, because the boats which we loaded in Liverpool to work into Yorkshire were previously coming back to a large extent without loading. They now get a large proportion of back loading from Todmorden, and, therefore, they save us water which would otherwise be lost in lockage.

2757. Saving of water, you say. The first figure you gave me of the amount of tonnage carried on the canal when you were simply toll-taking was 700,913?—Yes.

2758. Now that you are freight takers it has gone down to 665,000?—You rather overlook the serious effect that the strike had upon traffic generally last year.

2759. You told us that you bought up certain bye-traders. If you had not bought them up they would have continued to trade on the canal and compete with you?—My opinion is quite the contrary; they were preparing to go away from us.

2760. How much have you spent in buying up the bye-traders?—Roughly 30,000*l.*

2761. Roughly 50,000*l.*?—No.

2762. You say not more than 30,000*l.*?—Not so much.

2763. If, instead of spending that 30,000*l.* in buying up the bye-traders, you had spent it in supplying water to your canal, could you not have passed an enormously greater traffic?—No. The last estimate we have had for providing additional reservoir accommodation, I think, is about 48,000*l.*, and for whose benefit? Your benefit.

2764. Are you in the habit of selling water?—We sell some.

2765. How much do you receive from the sale of water?—Last year it came to 1,170*l.*

2766. What did it come to the year before?—The year before it came to a little more; it has been going down; it was 1,300*l.* in 1891; last year it was under 1,200*l.*

2767. To whom do you sell water?—To the Lancashire and Yorkshire.

2768. Is the Lancashire and Yorkshire the only company or people to whom you sell water?—There are minor sales; I cannot tell you to whom, from memory; the Lancashire and Yorkshire are the main people.

2769. Am I right in saying that in the year 1888 you received for the sale of water as much as 4,400*l.*?—That included the payments made for the use of water by millowners alongside the canal who had statutory power to take it; and by the technical result of a very long litigation which lasted for 15 years, we acquired the power to make a slight charge. We cannot stop them from taking the water.

2770. The technical result is that you received as much as 4,400*l.* in 1888?—Including the 1,300*l.*

2771. You did not include these miscellaneous receipts in what you have given as the receipts from the tolls traffic?—Certainly not.

2772. Have you any other source of revenue besides water?—We have chief rents, and we have a few tenement rents.

2773. How much are the tenement rents?—In 1891 the tenement rents were 2,501*l.* 15*s.* 6*d.*, consisting to a considerable extent of rents that we received for terminal warehouses by the largest bye-traders, the Bridgewater Canal Company. They comprise partly that. Then there is easement, rent 586*l.* 19*s.* 4*d.* They are very conceivable forms of easement, running a drain under the canal, running a telephone wire, and so on. Water 4,004*l.* 10*s.* 3*d.*, including the payment of 1,303 2*s.* 10*d.* from the railway company, that is included in the 4,004*l.*

Chairman.

2774. Do you get the 4,004*l.* annually?—Annually.

Mr. *Balfour Browne.*

2775. That comes to one-third of your receipts from tolls and freights last year?—Yes.

2776. That is an important item to the company?—Yes; if we had not it we should be so much worse off.

2777. And if you had not the railway subsidy?—We have not now.

2778. Is there any arrangement as to when it is to re-commence?—That is absolutely dead.

2779. It is going to be resurrected, though it is absolutely dead?—

Mr. *Moon.*] I would call attention to the Act of Parliament of 1888 which prevents any railway company from directly or indirectly controlling the business of a canal company, and renders the directors personally liable, having anything to do with the control of the business of a canal company. Section 42 of the Railway and Canal Traffic Act, 1888, is that: "(1) No railway company, or director, or officer of a railway company shall, without express statutory authority, apply or use or otherwise or permit the application or use of any part of the company's funds for the purpose of acquiring either

Mr. *Balfour Browne*—continued.

in the name of the railway company, or of any director or officer of the railway company, or other person, any canal interest, or of enabling any officer of the railway company, or other person, to purchase or acquire any canal interest, or of guaranteeing or repaying to any director or officer of the railway company or other person who has purchased or acquired any canal interest, the sums of money expended or liability incurred by such director, officer, or person, or any part of such money or liability. (2.) In the event of any contravention of the provisions of this section, the canal interest purchased in each contravention shall be forfeited to the Crown, and the directors or officers of the company who so applied or used, or authorised or permitted such application or use of the company's funds, shall be liable to repay to the company the sums so applied or used and the values of the canal interest so forfeited; and proceedings to compel such repayment may be taken by any shareholder in the company. (3.) In this section the expression 'company funds' means the corporate funds of any railway company, and includes any funds which are under the control of or administered by a railway company; the expression 'officer' includes any person having any control over a company's funds or any part thereof; and the expression 'canal interest' means shares in the capital of a canal company, and includes any interest of any kind in a canal company or canal."

Mr. *Balfour Browne.*

2780. I have read that. (To the *witness*). Will you tell me when was your last payment to the railway company?—Five years after the Act was passed. That payment, as I have explained, was a sort of commuted management for dropping the whole thing.

Mr. *Moon.*] It was an agreement made in 1888, and under the agreement made in 1888 the money was to be paid by instalments. It was a valid agreement, because it was made before the Act; and being made before the Act the money could be paid by instalments after the Act was passed.

Mr. *Balfour Browne.*

2781–82. It was an agreement made when the Act was in the form of a Bill; was not that so?—No, it was not. I think not.

2783. Was there no other arrangement made?—Absolutely none. What do you suggest?

2784. I suggest that, as that arrangement was made before the passing of the Act of 1888, it continued, as you say, for five years after that Act was passed; we are agreed there?—It did not, in the sense in which Mr. Moon has explained. It stopped, subject to the payment of sums of money which formed the consideration of that agreement.

2785. Do you think it would have been perfectly competent for the directors, while that Act was a Bill, to guarantee the 7,500*l.* a year for all time?—That is a legal question which I would rather not give a reply upon.

2786. Do you know no arrangement by which, when the tolls are once finally settled, there is to

Mr. *Balfour Browne*—continued.

be a re-arrangement between you and the railway company?—The thing is preposterous.

Chairman.] That is not an answer; it may or may not be preposterous. (To Mr. *Balfour Browne.*) Will you put your question again?

Mr. *Balfour Browne.*

2787. Do you know of any arrangement between the railway company and the canal company as to the future payment of money by the railway company to the canal company?—No.

2788. You know of none?—None.

2789. Are you quite sure?—Quite certain.

2790. Is there any arrangement by which the canal is to be taken over?—No.

2791. None?—Absolutely none.

2792. You have been in the Rochdale Canal trade for some time?—I was secretary up to 1889.

2793. Do you remember the attempt that was made by certain railway companies, the Midland, and the Manchester, Sheffield, and Lincolnshire, to purchase, with the consent of Parliament, the Bridgewater Canal?—No.

2794. You do not remember it?—No.

Chairman.] That is the Manchester Ship Canal?

Mr. *Balfour Browne.*

2795. It was after that. Do you remember that Parliament refused to let those companies purchase the Bridgewater Canal?—No.

2796. Do you know that there was a limited company formed of Mr. Price, the chairman of the Midland Company; Sir Edward Watkin, the chairman of the Manchester, Sheffield, and Lincolnshire Company, and certain other gentlemen, who, notwithstanding that Parliament had refused to pass it, did purchase the Bridgewater Canal?—I have no personal knowledge. I have heard gossip.

2797. Do you know that a company in Manchester purchased it?—The Bridgewater Canal Company, Limited.

2798. Do you know that the limited company were railway directors?—I was one of the company; I was not a director.

2799. Do you know who the other directors were?—A very large number.

2800. Do you know that Sir Edward Watkin and Mr. Price, the chairman of the Midland Company, were both directors of the company?—I know neither of them were members of the Board

2801. They were both members of the company?—So far as I know I cannot answer you.

Chairman.] What is this leading to; it is getting rather wide?

Mr. *Balfour Browne.*

2802. Just as in that case the railway companies, notwithstanding that Parliament refused to give them the canal, did go behind the back of Parliament and purchase the canal, there may be some similar arrangement here. It was in reality, to all intents and purposes, under the control of the railway company?—You can prove it. There are Bridgewater people here.

2803. Now

Mr. *Balfour Browne*—continued.

2803. Now we will pass to something else. As to the arrangement, there is one other question; was it an arrangement in writing?—It was not in writing.

2804. Are you quite sure that the arrangement was that the subsidy should terminate at any particular date?—Yes.

2805. Are you sure of it?—Certain.

2806. If it is not writing, where does this agreement reside; is it merely an understanding?—It was a mere understanding.

2807. A mere understanding?—Yes.

2808. And the railway company parted with 7,500*l.* a year upon a mere understanding?—There was no written agreement.

2809. Therefore, before the Act of 1888 there was no written agreement?—No.

2810. Do you think it could have been enforced?—I do not know; I came into the concern as secretary.

Chairman.] He is not a lawyer.

Mr. *Balfour Browne.*

2811. Perhaps I should not ask the question. (To the *Witness.*) Now, one question about another matter. You have spoken of acquiring certain bye-traders' businesses?—Yes.

2812. Amongst others, did you acquire the carrying business of William Jackson and Sons, Limited?—Yes, we did; we acquired shares in the concern; we had a controlling voice.

2813. You got the control?—Yes.

2814. Were they general carriers?—Yes, they were general carriers; they carried every description of traffic from the east coast to Sowerby Bridge.

2815. And you acquired their business?—Yes, we acquired a controlling interest in their business.

2816. How far did the control go; to acquiring their boats absolutely?—Yes.

2817. So much for the control; instead of, as in the past, dealing with Messrs. Jackson and Sons, now we would have to deal with you for the carriage of our goods?—I must make a little explanation; a mere yes or no will not answer this question.

2818. Say one or the other first. If a trader wanted to have goods carried on the canal, which formerly had been carried by William Jackson and Company, they would now be carried by you?—No. William Jackson and Sons' business was administered as independent of our concern, the Rochdale Canal business proper, as any other businesses.

2819. Are you going to give up that carrying business that you purchased from William Jackson and Company?—The state of things is this: we have been going on for three years; the concern has been paying to the Aire and Calder and the Calder and Hebble, out of the traffic that passed over these two navigations, the sum of 4,500*l.* a year, net, clean money in toll. We, who have had to back their business, have had a loss on the whole of the operations at the rate of nearly 1,440*l.* a year.

2820. That is not like very good management?—The management has been absolutely

Mr. *Balfour Browne*—continued.

the same as it was for the whole period before we acquired them.

2821. Messrs. William Jackson and Company managed to carry on the trade and make a profit?—This shows that they were not making a profit.

2822. I find in your report that "after mature consideration of the whole subject, the traffic committee are of opinion that it would be advisable for the carrying business of William Jackson and Sons to be terminated as soon as possible"?—Yes; we do not see the force of our paying that 1,500*l.* a year, or losing 1,500*l.* a year, for the object of paying you 4,500*l.* a year.

2823. So that that trader has been bought up and will disappear?—The reason why he was bought up is to save the water. He brought loading for us from Hull to Sowerby Bridge; we loaded him back from Sowerby Bridge to Hull. We, having loaded from Liverpool to Sowerby Bridge, brought back the loading that he brought from Hull instead of working the boats empty in one direction over our summit. That is what has resulted in the saving of water, as I explained to the Committee.

2824. Was not he bought up in order to get rid of a competitor and raise the tolls with a view to this inquiry?—No; we must either do that or lay out 48,000*l.* or something like to that extent in providing additional reservoirs.

2825. Between the years 1855 and 1890 is it the fact that you paid 4 per cent. upon every 85*l.* share?—We did, and did it by the balance of the money that we got from the railway company under the terms of the lease.

2826. The weight of traffic now is the same as it was in those years, barring the strike?—Yes, it has materially changed; but for a long time prior to the year 1888 it was falling off materially.

2827. Have you got the figures?—Yes.

2828. They are not in the form of a Table, are they?—No; we could not anticipate everything that would be asked here.

2829. Some of the things I have asked you I do not think you could have anticipated?—No.

2830. Have you got them?—In the year 1876 the tonnage was 903,785 tons; it has gone down by yearly gradations.

2831. Your reservoirs were the same then as they are to-day?—They were, and we were in very serious difficulty indeed almost every year with the drought; we were within measureable distance of stopping altogether.

2832. You carried 903,000 tons?—Passed it somehow.

2833. Is there any other figure that you want to put in?—They go down to 857,000 odd and 798,000 odd.

2834. Give us the years?—In 1877, 857,000; in 1880, taking the three years' average, 776,000; in 1885, 700,000.

2835. Then we have got into the normal groove?—Yes, the cause of that was the stress of railway competition, the opening of the Oldham branch railway, and the opening of railways in the neighbourhood of Halifax.

 2836. From

Mr. *Balfour Browne*—continued.

2836. From the years 1876 the railways were paying you regularly the subsidy, as we have heard?—They were. In 1876 I may say we practically made our own dividend.

2837. Why cannot you do it now?—For the reasons I have told you, the stress of railway competition has taken it away from us.

2838. Looking at your Table C., you have distinguished the local traffic from the Rochdale and the Bridgewater and from the Rochdale and Ashton, and so on. If you get the power to charge that five miles, or for any distance a charge equal to five miles, that charge will come upon first the whole of that 376,000 tons?—Yes, it will come upon whatever passes over that point.

2839. And where you exchange with the Bridgewater and the Rochdale, that is over this very length of canal?—Yes.

2840. Therefore it will fall upon that?—The power that we seek will be operative upon those.

2841. And you propose to charge for that five miles whether it goes the whole five miles, further than the five miles, or less than the five miles?—Yes.

2842. So that if a ton of traffic only travels a few hundred yards upon that portion of the canal you can charge the five miles?—Yes, this would be the effect, otherwise there would be very likely a large quantity of light craft sent up and down the canal merely for the purpose of abstracting water which would be valuable down below.

2843. Is that the only object?—No; I say the effect. The object is to counteract that effect amongst others.

2844. It will fall upon anything going through between the Bridgewater and the Calder and Hebble?—Yes.

2845. And one way or another, one of those bonuses you seek on page 3 of the amendments will touch almost every ounce of this traffic?—Which traffic?

2846. The traffic shown in Schedule D.?—It will not hit the Rochdale, not to the same extent.

2847. It will to some extent?—Yes; but not to the entire extent.

2848. And changing that four into five will affect some of it, or most of it?—Yes.

2849. And you propose in this particular case absolutely three different bonuses; you propose a bonus at the Bridgewater end, a bonus at the summit, and a bonus at the Sowerby Bidge end?—Yes, we follow the general line of the Leeds and Liverpool.

2850. And with this idea, that if you get it you will practically be keeping your present receipts?—It has been the object to preserve our present revenue.

2851. Supposing the present charges that you are making are complained of as being far too high, and that they have the effect of stopping the through traffic from west to east and from east to west, do you think you ought to be allowed to preserve them?—That is a question for the Committee.

2852. Do not you know that the Aire and Calder is a perfectly independent canal, and that their receipts in tolls were reduced by a Committee of Parliament to the extent of 15,000*l.* a year?—I believe the Aire and Calder is a very different concern to this; they have an inherent capacity that this never can have.

2853. Do you know that notwithstanding the very strong case, and that nobody complained of the Aire and Calder, Parliament reduced their receipts by some 15,000*l.* a year?—I know it as a matter of conversation.

Mr. *Moon.*] If you allege that the present charges by the Rochdale are too high and prevent through traffic you must put instances upon which you rely to Mr. Dykes.

Mr. *Balfour Browne.*] I can do that.

Mr. *Moon.*] Otherwise how are we to meet it.

Mr. *Balfour Browne.*

2854. You mentioned the Leeds and Liverpool bonus?—Yes.

2855. The Leeds and Liverpool are not asking anything like the tolls that you propose to ask?—That is another thing altogether. The only way in which you can compare these at all is this: the Leeds and Liverpool represents the canal from Liverpool to——

Chairman.] I do not think it is possible for us to go into a comparison of the Leeds and Liverpool Canal in connection with this case. There may be various circumstances connected with the Leeds and Liverpool Canal which are not before us. I know nothing whatever of the Leeds and Liverpool case.

Mr. *Balfour Browne.*] I would not have gone into it if this gentleman had not mentioned it. There were special circumstances and special proof given in that case.

Chairman.] I am perfectly innocent of the circumstances of the Leeds and Liverpool Canal from one end to the other.

Mr. *Moon.*] I should like to go into the Leeds and Liverpool case, because I can show that this is an *a fortiori* case.

Chairman.] We have not the Leeds and Liverpool Canal before us.

Mr. *Moon.*] I propose to put Mr. Somerset, the general manager of the Leeds and Liverpool, before you, to show that the bonus mileage given to the Leeds and Liverpool upon their traffic was in addition to the long lead of toll which they got for the carriage of traffic all along their route, and was not, as we ask for, five miles here in respect of the traffic coming off another system and going a small distance upon ours

Chairman.] I think each case should be judged upon its own merits, and not be judged by another case.

Mr. *Balfour Browne.*] You cannot draw analogies between two canals so distinctly and entirely different in all their circumstances.

Chairman.] We had better go on with this case. Unless we know what induced Parliament to come to the decision they did, I do not think it applies to this case at all.

Mr. *Balfour Browne.*

2856. (To the *Witness.*) We will confine ourselves to your own canals. Do you know the usual

Mr. *Balfour Browne*—continued.

usual proportion between toll and freight?—I do not think I can give any reply at all reliable. I do not think anyone can do so; it must depend upon the traffic.

2857. Has it not been conceded on all hands that the usual proportion is that the one should be two-thirds and the other one-third?—Distinctly nothing of the kind in my recollection. It depends upon the system that you are working over.

2858. Do you know that the physical difficulties, going up on one side and down the other side, increases the cost of working to the traders?—Yes.

2859. Therefore it would have told against the rates?—Then you must provide for the Metropolitan Railway tolls per mile on an outside tramway.

2860. You say you do not know of any proportion between tolls and rates. I find you volunteered the information when you were before Mr. Pelham. In examination-in-chief my learned friend Mr. Cripps asked you, "If the traffic were carried by a bye-trader what would the toll come to; have you worked it out?—(*A.*) No, I have not. (Mr. *Cripps.*) If, roughly speaking, the difference would be the same in proportion as there is between the scale proposed, of course the thing would operate *pro tanto*?—(*A.*) I imagine it would be so. (*Q.*) And the difference is about one-third, is it not?—(*A.*) That is so." That is putting it rather differently to what you did, Mr. Balfour Browne.

2861. I said the difference is between two-thirds and one-third; that is right about the one-third, is it not?—Let me understand what you mean. Is one-third the toll and two-thirds the conveyance cost?

2862. I take it from Mr. Dyke's, the next question and answer: "Your toll would be about two-thirds of your rate, roughly speaking? (*A.*) That is so. If I am paying a total of 1*s.*, two-thirds would represent toll and one-third rates." Is that what you mean?—Approximately. I should say something more about it. I remember the result of what passed; it was this: I was tackled upon this, that we did not allow a sufficient margin between our rates and tolls.

2863. It was not tackling; this was examination-in-chief?—At this point.

2864. You anticipated being tackled?—I explained before that we were not carriers of A. or B. traffic in that examination, and the particular inquiry related then to A. and B. traffic, so far as I recollect. I stated that that was about the fair thing, roughly speaking.

2865. Supposing you had 1*s.* 6*d.*, the toll should be 6*d.*, and the carrying charges 1*s.*?—I explained the reason why I considered it was so, that we being carriers were not entitled to make two profits out of the operation.

2866. Is, roughly speaking, the illustration which I gave right, that if the charge was 1*s.* 6*d.* for carriage and toll, 6*d.* would represent the toll, and 1*s.* the carrier's charges?—No, the other way about.

2867. Can you give me a list of your tolls before 1888, and a list of your tolls to-day?—I have not any tolls with me.

Mr. *Balfour Browne*—continued.

2868. Then we cannot get them from you, but must have them from some other body. Now, I have got some rates and tolls charged at the end of 1888; do you say that you do not carry much in Classes A. and B.?—No.

2869. Would you rather have a comparison upon Class C.?—I do not know. I must judge by your questions. I should give you this preface: personally, I am secretary and manager, and estate manager; therefore I do not personally go into the details of these things to the extent possibly that the manager upon your side does, and therefore possibly may not be able to remember or give you those. I did not anticipate these questions being asked.

2870. Take this as an illustration. I find for salt-cake, which is an article in Class C., the rates charged to Newton Heath, four miles, were in 1888, 2*d.* per ton per mile for the whole distance from the junction of the Bridgewater to Newton Heath. Newton Heath is along your canal four miles?—It is a large order to ask that I should remember that. I do not believe it, at the same time.

Mr. *Moon.*] I should like to know what this has to do with the Calder and Hebble.

Mr. *Balfour Browne.*] I want to show the result of passing this Schedule.

Mr. *Moon.*] We should have an illustration which is useful. I asked for tolls stopping the through traffic.

Mr. *Balfour Browne.*

2871. I am beginning with the short-distance traffic. (To the *Witness.*) That is what you ask the bonus for, short-distance traffic?—Yes.

2872. If it was, as I am in a position to show, 2*d.* before 1888, are you aware that, under Mr. Pelham's order, you would be entitled to charge 8*d.* for it?—Twopence per ton actual toll?

2873. Yes?—In the first place, I do not believe that such a toll was ever charged upon the Rochdale Canal.

Mr. *Pelham.*] Is this rate or toll?

Mr. *Balfour Browne.*] This is toll. I take a long distance, Todmorden, 23 miles.

Mr. *Moon.*] Is it upon your canal?

Mr. *Balfour Browne.*

2874. It is upon your canal. Do you know that the rate for that salt cake was 11·50*d.* before 1888?—I can sooner believe that than the other one.

2875. You may believe it, and we will now show it to you. Do you know that under Mr. Pelham's order it will be 23·9*d.*?—I take it from you.

2876. Do you know that, even upon your own Tables, as you show, Mr. Pelham's order would give you a margin. If you look at Table E., your actual revenue is 2,925*l.*; is that so; and by the Board of Trade proposal it would be 3,317*l.*; therefore, roughly, it is 400*l.* margin that you have allowed you even under Mr. Pelham's order; that is to say, on the Table?—The only thing is loss on the Board of Trade proposals.

Mr. *Balfour Browne*— continued.

2877. Dealing with what you put in your own table, the actual revenue that you have at the present time with the tolls that we complain of as being high is 2,925*l.*?—Yes.

2878. According to this table the maximum power under the Board of Trade Schedule would be 3,317*l* ?—Yes.

2879. And if you had got the power which you yourselves ask it would be 4,709*l.*, or a margin of nearly 2,000*l.*; that is the maximum possible.

Chairman.] But I see actual revenue 2,925*l.* 19*s.*?

Mr. *Balfour Browne.*] Yes.

Chairman.] Is that the highest that they could possibly charge?

Mr. *Balfour Browne.*] No.

Chairman.] You cannot compare the actual revenue, even 2,925*l.*, with the maximum powers, which are 3,317*l.* 15*s.* 7*d.*; they will not compare; the one is what they actually charge, and the other is the maximum that they are enabled to charge?

Mr. *Balfour Browne.*] What they may charge.

Chairman.] You cannot compare the two?

Mr. *Balfour Browne.*] I think I can compare what they actually charge at the present time with what they may charge.

Chairman.] Unless it is the fact that they do now charge up to their extreme power the comparison would not be a good one?

Mr. *Balfour Browne.*] I do not know that they are in all instances charging up to their full power.

Chairman.] You see what I mean: If you compare 2,925*l.* with the other you ought to show that that is the extent of their ability to charge, otherwise it will not be fair.

Mr. *Balfour Browne.*] This Table is put in by themselves for the purpose of comparison. They say we are receiving, by our present powers, 2,925*l.*, the actual loss that we shall make, because we cannot charge up to the maximum. That is what Mr. Dykes will say immediately.

Witness.] How do you know?

2880. I have heard it before; it will be 339*l.* 11*s.*, and that multiplied by six comes out at 2,037*l.* 6*s.*, which will be the total loss in the year; it is for the very purpose of the comparison that he has put this in. (To the *Witness.*) I understand this Table also shows your proposal; if you got the power that you are seeking you would receive, or might charge 4,709*l.* 0*s.* 11*d.*; is that so?—That is the maximum power which it would give us. As a matter of fact we believe that all the gains or the theoretical gains that would arise from working out this scale would be unattainable; the losses would be absolute.

2881. As a matter of fact, if you could charge your maximum instead of receiving your actual 2,925*l.* you would receive 4,709*l.*?—That is so, as stated here.

2882. Does that 4,709*l.* include all those bonuses?—Everything.

2883. Is it also calculated on the rates which you propose to charge?—Yes; we calculated the Board of Trade proposals as they stand in the Provisional Order, and our own propositions as they stand in the amendments.

Mr. *Balfour Browne*—continued.

2884. You are asking, amongst these other bonuses practically a double mileage bonus at the Sowerby Bridge end, it means double the distance?—Yes.

2885. That was not given you by the Board of Trade?—No.

2886. What reason have you for asking a bonus there?—I heard Mr. Cripps open that there were five locks in three miles?—Yes.

2887. Is that the reason?—That is not the only reason.

2888. What is the other?—There are very expensive works upon it; the canal is by the side of the hill with retaining-walls the whole way.

2889. You say that at both ends of the canal you have got a very heavy charge. Is not that curious?—However curious it may be it is the fact.

2890. Have you ever heard of what is called a bar-toll?—Yes; I have heard of a bar-toll that the Calder and Hebble used to put upon our traffic when it was going through, many years ago, and we had to go to law to take it off.

2891. It shows what the best of canal companies will do. Is not the bar-toll put on with the very object of preventing traffic passing?—No; the object of the bar-toll, as you put it; the object of our proposals, as I put it, is to get reasonable remuneration for the use of the canal in addition to the water supply.

2892. Is not the bar toll put on for the purpose of preventing traffic passing?—I am not an expert upon it; I have never put on a bar toll.

2893. Has there been at this particular place any special expenditure?—Yes.

2894. What?—A very expensive construction.

2895. When?—Originally, and the maintenance of it.

2896. Is that in the 700,000*l.*?—Yes.

2897. You have already said that if you get these tolls you will pay no interest upon your capital whatever. Why should the capital be considered?—I have endeavoured to explain that, too.

2898. I do not follow that. If you are not to consider the capital at all, and there is to be no interest upon it, why should the original expenditure upon any bit of the canal be regarded as a reason for putting on an extra toll?—I hope the Committee will come to the conclusion that we have been very moderate. The answer with regard to this particular section is that this is a very expensive piece of construction, and again there is a good deal of difficulty in maintaining it. It is upon the side of a hill cut out partially in rock, and with a good deal of trouble to keep it tight.

Sir *William Houldsworth.*

2899. Can you explain how this loss on actual revenue on Table A. is arrived at, because there must be some proportion between it and the maximum power. How is it arrived at? Under the

Sir *William Houldsworth*—continued.

the Board of Trade proposals you show losses on actual revenue?—Yes.

2900. How is that ascertained, what your actual revenue will be?—Our actual revenue is calculated upon the traffic which is actually passed at 444*l.* 10*s.* 6*d.*, that we actually receive. Under the proposals of the Board of Trade our losses will be 84*l.* 4*s.* 4*d.*

2901. You see in the fourth column "Losses on actual revenue"; how is it ascertained?—We take the actual revenue and the actual traffic, and we work out in sections what if the powers were authorised they would give us. In certain cases the revenue is more than covered; there are theoretical gains, but there are actually absolute losses. We think that the theoretical gains which arise on applying this Table to our actual traffic will be unattainable; the losses we regard as absolute and certain.

2902. Do I understand that these losses are based on the assumption that you use your full maximum power in the Board of Trade proposal?—Yes, that is all the Board of Trade proposals will give us.

2903. You work up to the maximum powers of the Board of Trade?—Yes, and on the other figures on our maximum proposals.

2904. The same thing applies to the next, the Rochdale Company's proposals?—Yes.

Lord *Clifford of Chudleigh.*

2905. Are the figures in Table E. taken from the figures in Table F., they correspond?—It is merely an enlargement of the same Table.

2906. What is the system upon which you make up the Table F.; take the very first instance of the quarter-mile traffic; in the second column you have 3,453 tons in weight, producing an actual revenue of 16*l.* 5*s.*; under the Board of Trade proposals it would give you a revenue of 64*l.* 14*s.* 3*d.*?—Yes.

2907. And that addition you do not take any account of. In all the cases in which it works out at a loss you do take credit for it?—Yes.

2908. On this principle you do it in every case?—In that case, though the Board of Trade proposal worked out in its entirety, would give this maximum figure which would be unattainable, a large portion of the weight there included is short-distance traffic at Manchester. I find, as a matter of fact, that in conveying 1,114 tons weight there were no less than 103 boats employed; that works out at 8*d.* or 9*d.* a boat for lockage. Now, if you apply the Board of Trade maximum to that, it would give you 7*s.* 6*d.* That is what accounts for the large figure. It would be quite unattainable.

2909. Your proposal would produce a still further increase up to 91*l.* 7*s.* 4*d.*; that is still more unattainable?—Yes.

Sir *Richard Paget.*

2910. Then it comes to this, that the return which you furnished to the Committee is very misleading, because taking the first instance which has been put to you, your own maxima for the short distance of a quarter of a mile is 91*l.* 7*s.* 4*d.*, while the Board of Trade maxima is

Sir *Richard Paget*—continued.

64*l.* 14*s.* 3*d.*, and your actual revenue is only 16*l.* 15*s.*?—That is so.

2911. Surely that figure of 91*l.* 7*s.* 4*d.* which is in your scale of maxima compared with the 16*l.* 5*s.*, which is all that your revenue is, is a very misleading figure?—So the next ones are specially misleading in the sense in which the honourable gentleman puts them. In the subsequent figures there is not the same disparity, and it arises from the fact of the very short-distance paid; that is, what is comparatively a small load traffic passes up and pays very little indeed, as much as 8*d.* or 10*d.* a lock; the Board of Trade propose a minimum boat toll of 7*s.* 6*d.*; and therefore it will make a very large sum of money, and to that extent it is misleading; but in some degree it is against us in putting our case.

2912. But your actual revenue is 16*l.* 5*s.* in that case?—That is so.

2913. Can you inform the Committee what would be the increase of actual revenue if you got the maxima that you ask for?—The possible maxima is 91*l.* 7*s.* 4*d.*

2914. But is that unattainable?—Quite unattainable.

2915. What would be attainable?—We do not anticipate having to make any serious changes in our charges at all.

Lord *Clifford of Chudleigh.*

2916. But you might?—Perhaps so.

Mr. *Moon.*

2917. I may put it right if I ask this question. Can you tell the Committee what your present powers are in relation to the 3,543 tons upon which you received an actual revenue of 16*l.*?—We are entitled to charge 4*d.* a ton per mile for the traffic, the proposal of the Board of Trade is ·75.

2918. Fourpence a ton per mile would be 50*l.*, that is your present power?—Yes.

Lord *Clifford of Chudleigh.*

2919. Your argument from this Table is that under no circumstances can you raise any of your present rates?—Yes, I am afraid not.

2920. To that extent anything that reduces your existing rates is a loss which cannot be recouped by any additional maximum power with regard to your tolls?—Yes, that I take to be the case; this is applying a new scale altogether to the state of things that has arisen out of touch with anything like a graduated scale. The present state of things is the result of 100 years' experience, and I am afraid, though the scale would be altered, the operative toll would not be capable of being altered.

Mr. *Spicer.*

2921. What was the tonnage you carried in 1892?—In 1892 our gross tonnage was 654,779 tons.

2922. You told us that you feared that you had got to about the extreme of what you could carry, and you feared that at any rate for that piece between Castlefield Lock and Bousfield Lock there

Mr. *Spicer*—continued.

there was not much more power of expansion?—That is so.

2923. In 1876 it appears you carried a gross tonnage of 903,785 tons?—Yes, but we were always in difficulties towards June and July and August. I may mention when I said we were near the end of our tether, we are near the end of our tether in which we can insure the passage of traffic without restrictions.

2924. When were your Dale-street warehouses erected?—They were completed by 1836.

2925. You had sufficient warehouse accommodation for that 903,000 tons?—Seventy per cent. of that 903,000 tons never went near those warehouses, rough stuff that does not require warehouse accommodation.

2926. Is not it rather going too far to say when you have a traffic of 654,000 tons in 1892, you have got nearly to the end of your tether?—Experts were called in to advise us upon the water reserves, and that is what we have been told.

Sir *William Houldsworth.*

2927. Are your water reserves any worse now than in 1876?—Yes.

2928. In what respect; have you fewer reservoirs?—Not fewer reservoirs, but they are silted up to some extent, and then there comes in the question of maintenance, we want a reasonable margin of safety, we maintain them as well as we can, at the same time we should not like to run risks, we are in the hands of eminent engineers who advise us upon it, and that is the advice they give.

2929. Do you mean that the water level in the reservoirs is lower than in 1876?—Yes, in one of our large ones.

2930. And is kept lower?—Yes, permanently.

Lord *Clifford of Chudleigh.*

2931. You said one of the dangers of not having a sufficient toll on short distance traffic was that the companies below might extract your water by send up light loads?—That is so.

2932. What means do you adopt at the present time to stop that being done?—We rely to some extent on good feeling. I do not know that it is a very stable thing to rely on, but the interest up to now has not been so keen as it would be.

2933. You have not found it necessary to use your powers for that purpose?—As a matter of fact many years ago we had to do so, and we raised serious complaints which resulted in the practice being stopped.

Mr. *Moon.*

2934. Have you now power to charge for a light boat passing through a lock up to 20 tons?—Yes.

Cross-examined by Mr. *Waghorn* (for Fellows, Morton, and Clayton and the Lancashire and Cheshire Conference).

2935. Turning to your Table F., referring to the first item of 3,453 tons, would the 16*l.* 5*s.* which you put under the head of actual revenue represent your maximum charge at the present moment?—I think perhaps it does.

Mr. *Waghorn*—continued.

2936. If you charge your maximum now, what reason do you suggest to the Committee why you should not charge it in the future?—We have a little experience of the recent railway difficulty; we should not like to get into a hornets' nest like that again.

2937. The next item is 6,173 tons, and your actual revenue on that is 41*l.* 1*s.* 11*d.* Is that your maximum or not?—I think probably it is.

2938. On those two items at all events you are charging your maximum at the present moment?—Yes.

2939. On what traffic is it that the charges on light and empty boats would be mainly incident; are not those charges principally charged on traffic under seven miles?—I think it would be mainly on traffic under seven miles.

Mr. *Moon.*] There is another amendment with regard to light and empty boats; we are not discussing that at present.

Chairman.] I think we had better confine ourselves to the question of bonus mileage now.

Mr. *Waghorn.*] The questions put to the witness up to the present have covered the whole ground.

Chairman.] No; the evidence which has been given has not applied to light and empty boats; it has been as to bonus mileage throughout.

Mr. *Waghorn.*] Up to the present time the evidence that the witness has given has covered the charges generally, and it is almost impossible to separate them.

Mr. *Moon.*] So far as regards it being impossible to separate them the amendments are separate. We have given no evidence whatever about light and empty boats.

Chairman.] We must settle one thing at a time.

Mr. *Waghorn.*] The tables and the evidence together cover all the items of the revenue which they are deriving. I cannot cross-examine the witness if I cannot examine him upon the evidence he has given up to the present.

Chairman.] You can cross-examine him on the evidence he has given, but you are now going into the special question of light and empty boats.

Mr. *Waghorn.*] I take his evidence in connection with these Tables.

Chairman.] If you confine yourself to the evidence in chief you are entitled to cross-examine upon that evidence; but the witness has not given evidence directly upon the question of light and empty boats, but upon the general question.

Mr. *Waghorn.*] He has not give it *vivâ voce*, but he has put in Tables. At the end of Table F. is the very point to which I wish to direct the attention of the Committee. At the end of that Table you will see that there is a charge upon light and empty boats of 78*l.*; add light dues on empty boats," 78*l.*

Mr. *Moon.*] Mr. Dykes will be called when we come to consider the question of light and empty boats, and what the charges are to be, and then

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we shall refer to the sums received. It is true the Tables are before the Committee, but no evidence has been given upon the matter. It is a separate question.

Mr. *Waghorn.*] I propose to cross-examine the witness upon the Tables he has put in. No time will be wasted.

Chairman.] The question of light and empty boats, and the question of bonus mileage, are two distinct things. You will have an opportunity of cross-examining about light and empty boats when the time comes, and then this Table will be available.

Mr. *Waghorn.*

2940. Very well. Then I pass on from that question and take the figures upon the first page of Table F. Taking the traffic you received for four miles for example, the actual revenue which you have received upon that adds up to 1,122*l.* does it not?—£49 10*s.* 8*d.*

2941. No; you do not understand the question; the whole of the traffic for that four miles amounts to 1,122*l.*

Chairman.] Where do you get that?

Mr. *Waghorn.*] It is the total amount for the traffic received passing over four miles of the canal. I have added it up.

Chairman.] You call our attention to four miles. The weight in tons against "four miles" is 1866.

Mr. *Waghorn.*] The traffic that passes over the whole four miles adds up to 1,122*l.*

Sir *William Houldsworth.*] What items do you take?

Mr. *Waghorn.*] The whole of the items previous to the "four miles."

Sir *William Houldsworth.*] Inclusive of the "four miles"?

Mr. *Waghorn.*

2942. Yes. So the revenue derived from that traffic amounts to 6,732*l.* in the year, that is multiplying the 1,122*l.* by six?—I have not worked it out.

2943. The Board of Trade proposals in the same manner would give you 6,000*l.*, would they not?—I cannot tell you till I have worked it out.

2944. Perhaps you will take it from me that it comes to about 6,000*l.*?—Yes.

2945. Do you not consider that a sufficient revenue for those four miles?—Yes, if it were attainable it would be, but it is not attainable. The question is whether we could get the maximum proposed by the Board of Trade; we should be satisfied with that, if it was attainable.

2946. That was not the question; I did not ask you if you would be satisfied, but I asked you whether you did not consider it a sufficient revenue for four miles of the canal?—I must calculate those figures before I can give a definite reply.

2947. I will put it to you hypothetically. If you had 6,000*l.* revenue from four miles of the canal, do you suggest that that is not sufficient?—I do not think so much per mile is anything to serve as a criterion.

Mr. *Waghorn*—continued.

2948. You still suggest to the Committee, even if you do receive 6,000*l.* per four miles of the canal, something is still due to be added to it?—I do not suggest that. I should like to see the actual figures first. What do you say is the total. I make the total 1,126*l.*

2949. That is for two months?—Yes.

2950. So that your total receipts for those four miles, for traffic that does not pass a greater distance than four miles, would be, on your figures, 6,756*l.*?—Yes.

2951. If you seek for any higher charging powers would it not be reasonable to seek for them on the through traffic upon the other 28 miles of the canal?—The powers we seek would apply not only to this traffic, but to the through traffic in proportion to the amount passing over this section.

2952. You say the increased charges you propose would fall mainly upon the short-distance traffic, that is to say, the Manchester traffic?—Because the bulk of the traffic goes a short distance.

2953. Will you turn to Table E. for a moment; taking your Class C. traffic, your actual revenue is 623*l.* for 17,824 tons?—Yes.

2954. The maximum power of the Board of Trade would amount to 641*l.*?—Yes.

2955. You say that is not sufficient?—Yes.

2956. Will you tell me some traffic which would not be covered by that 641*l.* under the maximum power of the Board of Trade; I want the Committee to understand what sort of traffic it is in respect of which you say the charge should be increased?—It is impossible for me to give you that without referring to the details.

2957. Some timber is passed along the canal from Castlefield Junction to Brownsfield Lock; the distance is 1½ miles?—Yes.

2958. Your charge is 6*d.* for that 1½ miles?—The present toll is 6*d.*, I believe.

2959. That is a charge which you seek to perpetuate?—About that.

2960. If the Board of Trade do not allow you that figure, or the Committee do not allow you that figure, you think you will be unfairly treated?—That is not the proper mode of putting what I should think. We are submitting our case to the Committee, and whatever the Committee decide we shall have to accept.

2961. You suggest to the Committee that 6*d.* a ton for 1½ miles is an insufficient amount?—Let your witnesses suggest that it is unfair. None of them complained of it. The parties who carry this traffic and who gave evidence before Mr. Pelham were not dissatisfied with this 6*d.*

2962. I object to your making that statement, for I do not admit the correctness of it. They said it was a great deal too much?—It is our actual charge, and it has never been less.

2963. If the proposals of the Board of Trade as to double mileage were acceded to by the Committee, and you were allowed to charge that 1½ miles as for 3 miles, and you took our proposal of ·85 of a penny for Class C., that would work out at 2½*d.* a ton, would it not?—Is ·85 your suggestion?

2964. Yes, that is our suggestion?—It would be 2½*d.* something.

Mr. *Waghorn*—continued.

2965. That traffic goes in quantities of about 48 tons in a boat?—Possibly; I do not think it would average 48 tons.

2966. If it is 48 tons, that would give you about 10*s.* a boat?—Yes.

2967. Our proposals, if we acquiesce in the mileage proposals of the Board of Trade, would give you 10*s.* a boat upon that traffic?—Yes, upon that particular branch of class traffic.

2968. One of the witnesses to whom you referred stated that that traffic was 7,500 tons in the year.

Chairman.] You have objected to this witness alluding to that evidence; now you allude to it yourself.

Mr. *Waghorn.*] I objected to his asserting that the witness had said something which he did not say.

Chairman.] You objected to this gentleman alluding to the evidence before the Board of Trade.

Mr. *Waghorn.*

2969. Yes. I must apologise for the way in which I put the question. Does that traffic amount to 7,500 tons a year?—I know it is between 6,000 and 7,000.

2970. That is one of the items in this Class C. Now I will take you to another item. Class C. includes charges for grain?—Yes.

2971. Grain goes, amongst other places, from Castlefield to Bengal Arms?—Yes.

2972. A distance of one and three-quarter miles?—Yes.

2973. Is the charge for that 7*d.* a ton?—Our present actual toll, I think, is 7*d.*

2974. If we allow for a double mileage, three and a-half miles, 0·85*d.*, a difference of 3*d.* a ton, is it insufficient for the traffic?—I think so.

2975. Though it would give you 12*s.* a boat?—I think it insufficient.

Chairman.] Is that a full boat?

Mr. *Waghorn.*] A boat of 48 tons.

Chairman.] Is that the boat being full.

Mr. *Waghorn.*

2976. It generally goes in full loads?—It would not average 48 tons though; it goes in full loads usually.

2977. The quantity of that traffic is 12,000 tons a year, is it not?—That I cannot verify; it is a substantial freight; I cannot give the figures from memory.

2978. Your proposal upon such a traffic as that would work out in this way. Take the case timber; you propose to charge for timber as though it travelled a distance of five miles at 1·30*d.* per ton, that is 6½*d.* a ton?—It would give a maximum of 6½*d.* against our present actual of 6*d.*

2979. That would come to 26*s.* a boat for 48 tons?—Yes.

2980. Over and above that you ask 3*s.* 9*d.* upon an empty boat returning?—Yes, as the maximum power.

2981. Take the case of cotton; if you look at Class I. in the same Table E. your actual revenue derivable from Class I. amounts to 483*l.*?—Yes.

Mr. *Waghorn*—continued.

2982. Why do you require a maximum power of 682*l.* to cover that?—You have asked perhaps the weakest point in the whole case. Cotton is carried under very great stress of competition indeed, it is almost a specialty in Class I.; it is a very large weight, and the short distance it goes would not perhaps bear much more under the stress of competition than we now charge. There is a very severe competition by cart by road for this.

2983. So far as Class I. traffic is concerned, you do not require the power that you seek?—I do not say that, because Class I. contains a large number of other articles; we want to cover our revenue upon the whole.

2984. You have not mentioned any particular article to the Committee, so that they may judge of the comparative incidence of your rates and those proposed?—You mentioned one, and I have endeavoured to give a reply.

2985. Should you be here to-morrow, and the question is not settled, could you bring a few instances to compare with those which I have already mentioned to you?—I am afraid not between now and to-morrow morning. Manchester is a long way off.

Chairman.] You can scarcely expect him to do that. It is for you to bring cases forward, and examine him upon them.

Mr. *Waghorn.*] I do not wish him to bring any; I point out two or three to enable the Committee to be guided by them; unless he brings any more. (To the *Witness.*) One final question upon this Table; you put in a very similar Table to this once before, Table E. On a previous occasion you gave in evidence these same figures, but you added to them this information——

Chairman.] Upon what occasion?

Mr. *Waghorn.*

2986. When he gave evidence before the Board of Trade. (To the *Witness.*) I want you to give the Committee one piece of information, not upon this Table. You have already worked out the amount which the scale of charges calculated according to the Leeds and Liverpool rates is what we propose would give you on this traffic?—I think we have, but I have not got it with me.

2987. Look at your own figures (*handing a Table to the Witness*). That Table put in by yourself shows, does it not, that the traffic calculated at the scale of rates which we propose would work out at 2,280*l.*?—Yes, multiplying this by six.

2988. Comparing the figures you have and the total we do not want, to multiply it by six will give the actual revenue 2,925*l.*?—That is the entire traffic.

2989. I am dealing with the corresponding figures for that traffic.

Mr. *Moon.*

2990. I understand this Table which my learned friend, Mr. Waghorn, is now referring to was put in at the Board of Trade inquiry; the calculations

Mr. *Moon*—continued.

calculations were based upon the proposals of the canal company, and are quite different from the figures proposed by the Board of Trade now; the bonus mileage is different, and everything is different?—Entirely.

Mr. *Waghorn.*] I am not speaking about that at all.

Mr. *Moon.*] I appeal to my learned friend not to confuse the matter in this way. We have enough figures to give the Committee a considerable amount of difficulty without this. To have a Table put in based upon a state of things which has passed away would lead us into confusion.

Mr. *Waghorn.*] I am putting no question upon things that have passed away.

Chairman.] What Table do you allude to?

Mr. *Waghorn.*] Table E.

Chairman.] We can examine upon Table E., but do not go in to the other tables which are not put in.

Mr. *Waghorn.*

2991. I referred to the Table to refresh this witness's memory. (To the *Witness.*) I ask you if you were to work out this traffic at the rates we propose, which are those of the Leeds and Liverpool, what amount would it give you?—It is impossible to say.

2992. How would it compare with the 2,925*l.*?—It is impossible to say, because I must work the thing out *de novo.*

2993. Why were your calculations which you submitted to the Board of Trade in October incorrect and fallacious?——

Chairman.] He does not say that.

Mr. *Waghorn.*] He says he has to work them out again.

Chairman.] We are not inquiring into the Tables put in before the Board of Trade. We have to inquire into the details put before us here in this Table; they may be exaggerated or incorrect, but we must deal with them. We cannot deal with evidence put in before another tribunal.

Mr. *Waghorn.*] The witness before another tribunal has worked out the precise figures.

Chairman.] I will not admit any other tribunal. We must take the figures and evidence put before us.

Mr. *Waghorn.*

2994. I shall ask him if he can give the information I ask; if he cannot, I shall comment upon it. (To the *Witness.*) Will you tell the Committee that you cannot tell what the traffic would work out at if charged upon the Leeds and Liverpool rate?—I cannot.

2995. Would 2,280*l.* be nearly correct?—I cannot say anything about that. If I had the figures here to refer to I could give it more definitely.

2996. Though you haveseen these figures, you can tell the Committee nothing about them?—No.

2997. A great deal of this short-distance traffic is traffic passing from the Bridgewater Canal on to the Ashton Canal?—Yes.

Mr. *Waghorn*—continued.

2998. It passes over one mile of the canal?—A mile and a-quarter of the Rochdale Canal.

2999. And upon the whole of that traffic that passes on to the Ashton and Huddersfield Canal you propose to charge a minimum toll of five miles?—Yes; that is to say, the power we seek will include that. I do not say that we are going to charge it. I have explained why I do not think we shall be able to charge it.

3000. You could not charge it if the people would not pay it?

Chairman.] I do not think it follows; he might charge it but not get it.

Mr. *Waghorn.*

3001. At the present moment a certain amount of cotton does pass?—Yes; there is a small traffic.

3002. And the toll upon that is 2*s.* at the present moment from the Bridgewater to Stalybridge?—I do not know what the through toll is.

3003. You have no idea what the toll is from the Bridgewater to Stalybridge?—That is off our navigation altogether.

3004. You have no idea what the toll is?—I cannot tell you what it is; I have enough to do to mind my own business. The learned Counsel asks questions about two other navigations that I have nothing to do with.

3005. I point out how you can levy some of your maximum toll. I will put it hypothetically, as you know nothing about it. Supposing there is a toll of 2*s.* paid at the present moment, and supposing the Committee reduced this toll on the Huddersfield and Ashton Canal so that they could not charge their proportion, you could charge your 2*s.*, could you not?—I should like an occasion to arise before I can tell you.

3006. May I call your attention to something you said to the Committee last Friday: you are there in the position of a carrier, and talk of the traffic you carry on the Bridgewater Canal, and you say that a certain toll would drive your traffic off the Canal?—Yes.

3007. What sum of money had you in your mind when you said the traffic would be driven off the canal by the payment of it?—The sum proposed in the Bill; that is what was proposed by the Bridgewater navigation when we opposed them in 1892. As I explained last Friday, in addition to that, we should pay them per boat a larger toll than other boats of corresponding size were paying them; their proposal was to charge 7*s.* 6*d.* a boat in addition.

3008. A charge of 7*s.* 6*d.* a boat would drive your traffic off the Bridgewater Canal?—I think so.

3009. You propose a 7*s.* 6*d.* toll for one mile on the Ashton Canal; would that drive the traffic off?—The two things are not the same.

3010. You gave your reason why these charges should be levied upon your canal, and five miles should be charged, and the main reason was that you lose water, was it not?—Yes.

3011. I think you explained at the Board of Trade Enquiry how you did lose water upon your traffic coming down from the Ashton Canal?—Yes, that is my general explanation, I believe.

3012. You explained to the Board of Trade

Mr. *Waghorn*—continued.

that two narrow boats come down and waste your water?—No, I do not think I explained that.

3013. You do not remember what explanation you did give—I do not say that.

3014. Shall I remind you of the answers you did give at the Inquiry when you were asked for the same explanation that you propose to give now. This is at page 1069 of the Board of Trade Inquiry. "Now you admitted to Mr. Carr just now with regard to the traffic passing into the Ashton that you lose no water?—(*A.*) That depends entirely upon the mode in which it is worked. A good deal of the traffic which is worked on the Ashton Canal is sent in single narrow boats; very well, they are narrow locks, therefore they only bring in a small portion of the water which is required to work them over our ten locks?"—Did you read "I lost no water?" If you read that, it is wrong.

3015. Do you or not lose any water on traffic which is coming to or from the Ashton Canal?—Certainly we do.

3016. Can you tell the Committee how it is that you lose it?—Yes, I believe I can. I must read this: "The following variations arise in the actual working, first, boats worked in the pool between the Ashton Canal and the points below or west of Dale-street Lock bring water from the Ashton Canal sufficient to work them through the Rochdale. Second, boats worked singly between the Ashton Canal and points below or west of Dale-street Lock bring only one-half the water required to work them through the Rochdale Locks, which are wide, the locks of the Ashton being narrow; the remainder of that water has to be run from our reservoir eighteen miles off. Third, boats worked either singly or in pairs between the Ashton Canal and the points above or east of Brownsfield Lock going up the Rochdale Canal, though they bring water by their lockage into the Rochdale Canal to Dale-street Basin, do not bring it to serve for the lockage in the locks going up the Rochdale Canal, therefore the whole water of the Broad Lock has to be run from the reservoir." Then there is a fourth variation, "Boats also sometimes work singly on the section of the Rochdale between the Ashton Canal and the junction with the Bridgewater Canal after having passed through one or more locks in pairs on the Rochdale." There are ten locks upon this section of the Rochdale, and in this instance the effect is the same as in No. 2, that is, we have to run the water from our reservoir.

3017. I will put my view of the case to you. One of the locks on that reach of the canal which the traffic would only have to pass over is Clayton Lock?—Yes.

3018. Do you know the dimensions of that lock?—I know it is a deep lock and I have heard suggested that it has been somewhat let down by mining; it is altogether out of balance to the other locks. But there is another fact which comes in and somewhat upsets the calculations upon the basis upon which you put them. It is just at the junction where the main Ashton Canal goes on to Rochdale town just above where the branch to Ashton also goes. The water has to be run for working the local traffic

Mr. *Waghorn*—continued.

both upon the Stockport branch and also upon the short distance before it comes to us; and I can quite understand that there being no mining it might be an engineering advantage to have that lock of a little greater capacity than it would otherwise be.

3019. Do you know what the capacity of that lock is?—I cannot give it you; it is printed. A paper was put in last Friday.

3020. Is it 52,800 gallons; should you say that is correct?—I cannot tell you.

3021. It might be?—I do not know.

3022. What would the capacity of one of your 10 large locks towards Manchester be?—They average 75,000 gallons, and you must arrive at it in this way. To fill the lock at the bottom necessitates your filling the lock at the top. The top lock I know has a capacity of 103,000 gallons, the bottom one is probably less, or 70,000 gallons; the exact capacity I cannot say, but it is necessary to fill the top one for the water to run down and fill the bottom one, that is the measure of the water wasted in filling the bottom lock.

3023. Suppose we submit that your lock has a capacity of 62,800 gallons, you say it is not correct?—I should say it is far out.

3024. I mean the maximum?—The maximum is over 100,000 gallons, the average is 75,000 gallons.

3025. If our figures are correct you would lose 10,000 gallons?——

Chairman.] What figures?

Mr. *Waghorn.*] We suggest that the capacity of the Rochdale Locks is 62,800 gallons.

Chairman.] The witness says it is not correct.

Mr. *Waghorn.*] It is fair to put it to the witness.

Witness.] I cannot accept your figures, I have not measured the locks.

Chairman.] How can he answer a question as to what a figure is based upon which he says is not correct?

Mr. *Waghorn.*] Can you follow my figures I suggest to you?——

Mr. *Cripps.*] We can relieve Mr. Waghorn from the suggestion that he has not put the figures to the witness.

Chairman.] This gentleman denies altogether Mr. Waghorn's figures?

Mr. *Cripps.*] We shall not say that Mr. Waghorn did not put his figures after what he stated.

Mr. *Waghorn.*

3026. I suggest that, instead of losing any water from the Ashton Canal he gains a large quantity of water upon the whole of the traffic coming down from the Ashton Canal?—Taking the traffic as a whole, probably we might; the precise proportions of it I cannot give offhand, but I can get them.

3027. Still you admit that you do get water from the Ashton Canal?—Distinctly we get water from the Ashton Canal by lockage.

3028. Notwithstanding

Mr. *Waghorn*—continued.

3028. Notwithstanding that, you still propose to charge the one mile upon which the traffic goes as five miles?—Yes. Water through that lock is not the only factor to be considered. As I explained, this is the most difficult part of the whole canal, and the most expensive, and it would not be fair for water alone to be the measure of what we should be entitled to charge.

3029. But the traffic which does go, and which would be subject to a charge of five miles instead of one mile, and does bring water with it is traffic from the Huddersfield Canal?—It does bring some water.

3030. It is the traffic of the Huddersfield Canal?—Yes, there is a disproportion between the locks there just as you suggest between ours and the Ashton Canal.

3031. I suggest what the traffic is upon which this would be charged. There is traffic from the Huddersfield Canal, is there not?—Do you mean coming down the Rochdale Canal?

3032. Coming down over the Ashton Canal?—If it came over the Ashton Canal we should have no charge, if it came into the Rochdale Canal we should.

3033. Coming over the Rochdale Canal into Manchester that would be subject to the one mile charge instead of five?—No, the Manchester traffic has a terminus in the Ashton Canal Basin, and does not come into our own.

3034. If it went on therefore into Manchester, and then into the Ashton Canal, it would?—Their traffic terminates there before they touch us.

3035. That would apply to traffic from Oldham?—Precisely the same answer I must give.

3036. And Stockport?—Stockport traffic coming to Manchester would not go there unless it came on the Ashton or Huddersfield Canal, and for traffic coming from those places to Manchester the traffic terminus for those towns would be on the Ashton Canal before it reaches our junction; it is only in the case of traffic coming from the Huddersfield or Ashton Canal on to our navigation, and passing down into the Bridgewater Canal, that we should have any power over the charge.

3037. In addition to the use you make of the water, you mentioned to the Board of Trade you use a large quantity of surplus water at your warehouses in Rochdale, do you not?—I do not know what you mean.

3038. Do you not use water for hydraulic power, and a water wheel in your Manchester warehouses?—The waste weir from one lock to another is utilized in that way.

3039. What you do not want is utilised in that manner?—No, the water makes its way after the pool is filled, passing over the weir it is utilised in the fall from one lock to the other as power, it is not lost to the canal in any way.

3040. There is only one other question; there is a certain amount of seed traffic that comes into the Manchester Docks and is conveyed?—I know nothing of it.

3041. Is there any traffic that comes by the Manchester Ship Canal and is conveyed over your canal to the warehouses of the Bridgewater Canal Company?—There probably is, but the extent I cannot say.

3041*. But there is some traffic?—I assume there is.

3042. When that traffic comes into the warehouses of the Bridgewater Canal that is subject to the five-mile charge, is it not, according to your proposal?—Yes.

3043. Then when it goes out again to be sent away on to the Ashton or Huddersfield Canal it is charged another five miles?—Yes; and why cannot the traffic go from the Ship Canal Docks to its destination?

3044. That I cannot tell you?—Being broken up is an unreasonable way of working it.

Mr. *Waghorn.*] I understand your Grace's ruling to be that my cross-examination was to he mainly confined to the question of five miles. I want to ask a question about the quantum of tolls.

Chairman.] I said you were entitled to cross-examine the witness upon every point that he has been examined in chief upon, but that you were not entitled to go outside it. You will have an opportunity when other matters are examined into of cross-examining upon them.

Cross-examined by Mr. *Whitehead.*

3045. You have been asked a good many questions about articles in Class C. and Class I., but I will take one article, salt. Salt is in Class B.; salt and salt in bulk. That is an article that passes over the Rochdale Canal, coming into the Rochdale Canal from the Bridgewater Canal?—Yes.

3046. Chiefly passing to the Ashton Canal?—Yes.

3047. It traverses, therefore, about a mile and a-quarter of your canal?—Yes.

3048. And it would be affected by your proposal to charge that as for five miles?—Yes.

3049. What is your present toll for that article going over that distance?—Twopence halfpenny a ton.

3050. That is your maximum power?—Yes.

3051. Your maximum power being 2*d.* a ton a mile?—Yes.

3052. And as it goes a mile and a-quarter it is 2½*d.* for the total distance?—Yes.

3053. The Board of Trade for Class B. have fixed ·75?—Yes.

3054. And then Section 3 would give you a distance of 2½ miles. You want to change that into five miles?—Yes.

3055. Take your distance with the Board of Trade figures; five miles at ·75 would be 3¾*d.*; according to your new power upon that article, 3¾*d.*, as compared with your existing power of 2½*d.*?—Yes.

3056. Five times ·75 comes to ·375 or 3¾*d.*?—Yes.

3057. Suppose the Committee give you not only the distance of five miles, but also the tolls you are asking, what would that work out at? ·90 is what you are asking, and multiplying that by five miles it would come to 4½*d.*, would it not?—Yes.

Mr. *Whitehead*—continued.

3058. As compared with your existing maximum of 2½*d.*?—Yes.

3059. The maximum being actually charged?—Yes.

3060. There is a large quantity of coal passing over the route, is there not?—Yes, a considerable quantity.

3061. Do you know what the difference between your new maximum and your existing charge would be?—It would be the same difference.

3062. That is, whereas the maximum, which you actually charge is 2½*d.*, in future, under one of your proposals, it would come to 3¾*d.*, and under the other to 4½*d.*?—Yes.

Chairman.] And what would it be under the Board of Trade proposal? It would be considerably less.

Mr. *Pelham.*] It would be 1·875*d.* under the Board of Trade proposal.

Witness.]—The maximum power on salt is affected by the classification. Under the Rochdale Canal Original Powers salt and coal were classified together, whereas the classification now proposed divides them into Class A. for coal, and Class B. for salt. We have a difficulty in applying this new formula to old traffic.

Chairman.] How much more or less would the Board of Trade proposal be than their own maximum.

Mr. *Whitehead.*] That is shown on their Table E. on 37,675 tons. Their actual revenue is 722*l.*; their maximum power under the Board of Trade proposals would be 861*l.*

Witness.] Are you dealing with the five miles Table?

Mr. *Whitehead.*

3063. What I am dealing with is marked "Table E."; Class A., 37,675 tons; actual revenue 722*l.*; maximum powers under the Board of Trade proposals, 861*l.*; maximum under the Rochdale Company's proposals, 1,134*l.*

Chairman.] My question was what is the maximum that they are now entitled to charge.

Mr. *Whitehead.*

3064. (To the *Witness.*) Your maximum is 2½*d.*, and you are charging it?—Yes.

Mr. *Moon.*] As far as regards certain particular articles, of which I see a list on the table which I have here, where our present powers are under 2½*d.*, we are quite content to put a proviso in to the effect that in regard to those particular articles we should not charge more than we are now entitled to charge. We have no desire to raise our maximum power; all we wish is to protect our revenue; and as long as our revenue is protected we are prepared not to charge such traffic higher tolls than we are now entitled to charge.

Mr. *Whitehead.*

3065. Then you are asking for powers which you do not want?—Hardly that. There are articles in Class A. which we are charging 5*d.* for already. The classification has dislocated our

Mr. *Whitehead*—continued.

basis of charge. We are charging 5*d.* on creosote and other articles.

3066. Under what power?—Under our original power. We are charging particular articles 2*d.* a ton a mile, and other articles at 4*d.* a ton a mile.

3067. You said part of this change in regard to salt was due to classification?—Yes.

3068. Is not it the fact that the Board of Trade have put Class A. and Class B. together as one class when dealing with tolls?—They have in their proposals.

3069. For Class B. they have fixed the same tolls as for Class A.?—Yes.

3070. Therefore salt would get the benefit of that, and would be charged the lowest toll?—Yes.

3071. Under your existing Act salt is classed with other minerals such as coal?—We have never interpreted it in that way; we have never interpreted the meaning of "other minerals" to include salt.

3072. You charge 2½*d.*, and that, you said, was your maximum?—On coal.

3073. I took you to say that it was you maximum for salt?—No, on coal; 2½*d.* is our actual toll on salt.

3074. That is the toll fixed by the Act for minerals?—Yes.

3075. Would you agree with these words which Sir Courtenay Boyle used last Session before the Joint Committee: "So far as the Board of Trade are concerned they saw no difference whatever between the expense of providing a waterway for articles in Class A. and the cost of providing a waterway for articles in Class B." Do you agree with that?—In the same way you might say it would cost the same to provide a waterway to pass a cargo of watches as it would to provide a waterway to pass a cargo of salt, if you carry the thing to an extreme.

3076. You do not agree with that?—I do not.

Chairman.] Will you refer to the third item in Table F.? The weight given is 2,880 tons; the actual revenue is 23*l.* 9*s.*, and the loss on the actual revenue on the Rochdale Canal proposals is stated to be 3*s.* 4*d.* How is that arrived at?

Mr. *Moon.*] If I may explain, it is arrived at in this way. First the 2,880 tons that passed in April and October 1891 are taken as the basis of the calculation; that is to say, the calculation is made upon so many tons of traffic passing between a certain point of origin and certain destinations. We know what our actual revenue was in respect of those 2,880 tons. Then the Board of Trade maxima are arrived at by applying to that actual traffic everything that the Board of Trade permit us to charge. That produces 19*l.* 8*s.* That is less than what we are at present receiving. We then go to our own proposes, including not only the bonus mileage but also increased tolls and everything which we should receive under our proposal, and working it out, we find that the whole could obtain is 40*l.* 18*s.* 1*d.*; but we find in the case of one particular kind of traffic between two specific destinations, even our own proposal will not cover

cover us on that particular item of traffic to the extent of 3*s.* 4*d.*; so that 3*s.* 4*d.* has to be taken off from our actual revenue. That is the way it is arrived at, 23*l.* 9*s.* is our actual revenue, and our maximum would enable us to charge 40*l.* 18*s.* 1*d.*; but our actual revenue is now far below our power of charge, and notwithstanding we have the power of charge we cannot get more than 23*l.* 9*s.*, because the people will not send goods if we charge more. Therefore we are limited, not by the power given us, but by the sum which people will pay.

Mr. *Waghorn.*] My learned friend is stating what is not correct. The witness, Mr. Dykes, admitted that they were charging the maximum.

Chairman.] I am asking Mr. Moon for an explanation of this third item in Table F.

Mr. *Moon.*] Mr. Dykes has stated that we were charging our maximum power on the first two items, and no doubt we are, but upon the third he has not stated that, and I do not know whether it is so or not. All I can say is, for the sake of illustration, it is perfectly clear that there are many articles on which at present we have power to charge 4*d.* a ton a mile, and we are not charging upon the whole of those articles up to our maximum power, even with respect to that specific destination. I might now hand in a short statement showing what the maximum powers of the company are (*handing it in*). We have not simply given the figures of what our maxima would enable us to charge, because even in those cases there are some losses which we should incur, and we could not put up the tolls above those which the traffic is at present paying, or we should have done so before, having the power to do it. In any particular instance you can see what the paper gain would be; so that the Table is perfectly plain except that that calculation has not been made. We have not suppressed anything. If you compare the actual revenue with the maxima you will see what the paper gain would be in each case.

Mr. *Balfour Browne.*] The only question not answered is whether it is really a paper gain or whether it is what you could actually get?

Mr. *Moon.*] That is a question which the Table I have just handed in answers, giving the maximum powers. There are certain articles on which we are charging our maximum powers, at any rate for the five miles distance; those articles, namely, upon that list which are specified there down to "other minerals"; and on all other commodities we have power to charge 4*d.* a ton a mile.

Ordered, that this Committee be adjourned to To-morrow, at Half-past Eleven o'clock.

Die Veneris, 29° Junii, 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Lord Clifford of Chudleigh.	Sir Richard Paget.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(Bridgewater, &c., Canals.)

Rochdale Canal.

MR. ROBERT CHARLES DYKES, re-called; and further Examined.

Lord *Herries.*

3077. When you took over the canal from the railway company in 1888, on what terms did you take it over?—It was always in our hands; we never parted with the possession of it.

3078. Was it not leased?—It was leased, but our manager, my predecessor, maintained the management of it; he never gave up possession of the canal, or the tolls, or the maintenance, or the administration of it. At the end of the year we found out what were the earnings, and adding the agreed sum which was in the lease from the railway company, we found out what the balance was upon one side or the other and either received or paid.

3079. The balance was paid over to the railway company?—At the end of 1876 we reached the point at which we had to pay over to the railway company; but since that time there has always been a balance against them on the agreed basis of gross tolls.

Sir *William Houldsworth.*

3080. What were the conditions of the lease?—The conditions of the lease were that we leased to them the tolls and the rents and the warehouses; in fact, we farmed the whole thing to them on an agreed rent of 36,752*l.* per annum; and if in actual working at the end of the year it was found that that sum was not reached, they then paid out the balance. When the revenue reached that sum or above it, any balance over that sum was paid to the railway company.

Mr. *Balfour Browne.*

3081. That lease terminated in 1876, I think?—It terminated in 1876.

Sir *William Houldsworth.*

3082. What went on after 1876 to 1888, because 1888 was the time of the new arrangement?—I had only come fresh to the concern in 1876. I was acting as secretary at that time and I knew nothing of the earlier history of the matter. I found that we were approaching the period when the lease would terminate, and it was suggested that there should be a continuance of the arrangement. At that time we had to pay over, I forget how much, having exceeded the revenue prescribed in the lease. We paid over a balance to the railway companies in that year. It was suggested to us that we should make no new arrangement, but practically carry on the old concern. That is the state of things that then subsisted. I know this in my capacity as secretary, having to deal with the balances either one way or the other.

3083. And you went on after 1876 from year to year?—Yes, on a verbal understanding.

3084. And it continued until 1888 exactly on the terms of the original lease?—Yes.

Chairman.

3085. And when you earned more than the sum mentioned in the lease you paid it back to the railway company?—That is so.

3086. And when it did not reach the sum of 36,000*l.*, or whatever it was, then did the railway company pay to you?—That is so.

3087. They made up the difference?—That is so.

Lord *Clifford of Chudleigh.*

3088. After 1888 I apprehend it still went on in the same way?—Not exactly in the same way.

Lord *Clifford of Chudleigh*—continued.

They gave us to understand that in their opinion the Act of 1888 contained provisions which would prevent us carrying on as we were, and therefore it would have to terminate. The result was that they agreed to pay us down a lump sum, but as a matter of fact they preferred to pay it in instalments, and the instalments went on till the end of 1892.

Chairman.

3089. Till the end of 1892, when the canal company resumed possession of the canal, without any lease or agreement?—There is no agreement or lease, or possibility of any lease.

3090. That was after 1888?—Yes.

3091. It became then an independent canal?—Absolutely.

Sir *William Houldsworth.*

3092. Was there any arrangement made with the railway company by the canal company as to rates, as to whether they were to work together?—None whatever; the thing was administered as absolutely independent as any canal in the kingdom could be. We never consulted them upon tolls or anything of the kind. The difference between rates and tolls is this: We at that time issued no rates, we were not carriers; it was not until we were going to be dropped that we undertook the carrying with the determination of keeping the traffic upon the canal; all that we dealt with prior to becoming carriers was the toll to bye-traders.

3093. There was no arrangement with to tolls?—None whatever.

3094. You were perfectly independent and acted independently?—Perfectly.

3095. Are you aware whether the rates of carriage from one place to another on the canal were precisely the same as the rates on the railway, and *vice versâ*?—I could not tell. Whatever trade was done was done by independent carriers. We had no knowledge of the rates whatever.

3096. Are you not aware that it was a very common fact that the rates from one place to another upon the canal were precisely the same as upon the railway?—We have no knowledge of it; it is only from hearsay that I could refer to it at all. We did not influence them in any way.

Lord *Hawkesbury.*

3097. In what year did you become carriers?—In 1888. I was then appointed manager, and we saw the necessity from the different state of things to put ourselves in line with the times, and I had to adopt that view. It was a very difficult heritage at that time.

Sir *William Houldsworth.*

3098. As to the payment; you say the payment was fixed in 1888 which was to terminate the agreement?—Yes.

3099. Can you give the Committee any idea of what the basis of that agreement was?—It was based somewhat upon what had been the average prior to that, and it came out to 7,500*l.* a year.

3100. Then the working arrangement had been such that in terminating it it was thought desirable for the railway company to pay to the canal company a sum which would be equivalent to what it would have earned over a certain period of time?—Yes, practically a compensation to us for dropping it.

Re-examined by Mr. *Moon.*

3101. All I have to ask you in addition is this: Is there any connection between yourselves and the railway companies now?—None whatever.

3102. I should like to know what the railway company is that was most interested in the arrangements that did exist between you?—The Lancashire and Yorkshire Company had the largest interest.

3103. They run almost parallel, do they not, to the Rochdale Canal?—Yes.

3104. Is there any foundation for the suggestion that when the tolls are fixed by this Committee you will go back to the Lancashire and Yorkshire Company and the Lancashire and Yorkshire Company will take you in hand again?—None whatever. The keenest competition possible exists between us and the Lancashire and Yorkshire Company for getting hold of traffic on the canal as distinguished from the railway.

3105. When the lease came to an end in 1888, did you, for the purpose of competition, put on these 15 steam tugs that we have heard about?—Yes, as soon as we could get them built.

3106. And you at once, did you not, entered into active competition with the railway company for the purpose of maintaining traffic upon your canal?—Yes, and the tonnage carried has been progressive ever since.

3107. Is it the fact that in 1888 the bye-trader upon the canal was being beaten off by the railway?—That was so.

3108. And were the tolls at that time gradually and consistently diminishing?—Yes.

3109. And the tonnage upon the canal also?—Yes.

3110. Was it because you saw that the tonnage upon the canal was diminishing that your company found it necessary to enter into the carrying trade, in order to preserve the tolls upon the canal if possible?—That, coupled with the fact that the railway companies were dropping us.

3111. And in order to do that and carry on this carrying trade, did you purchase, as we heard yesterday, the boats of one or two of the carriers who had been carrying traffic upon your canal?—We did.

3112. Messrs. Jackson's name was mentioned?—Yes; and one of the first that we purchased was John Milnes and Sons, carriers, between Liverpool and Yorkshire over our system.

3113. Let us deal with Messrs. Jackson's, the illustration that was given yesterday. Was the trade that Messrs. Jackson were doing upon your canal, and were the tolls that they therefore paid you, gradually decreasing?—That is so.

3114. And did you therefore purchase their boats with the view of trying to encourage the trade which they were then conducting?—Yes.

3115. So

Mr. *Moon*—continued.

3115. So as to enable yourselves to get more tolls upon your canal?—Yes.

3116. The tolls which pay you best are the through tolls, because you get most money out of them?—Yes.

3117. With the same expenditure of water, if you get a boat the whole way through the canal, you of course get the 32 miles of toll instead of the small toll at the end, as you do in the case of the Manchester traffic?—Yes.

3118. And, therefore, it is desirable to encourage the through traffic upon the canal as much as you can?—Yes.

3119. It was put to you yesterday that at one time, namely, in 1876, upon your canal a much larger tonnage passed than passes now?—Yes.

3120. I do not know whether you can explain to the Committee what part of the canal that tonnage used. You told us yesterday that just about that time fresh competition arose by reason of the making of the new railways in the district of your canal?—Yes.

3121. At what part of your canal was that fresh competition introduced?—At the Oldham new railway of the Lancashire and Yorkshire. At the other end, I believe the Great Northern Railway Company opened railways that abstracted a good deal of stone traffic. It came down to a place called Luddenden Foot, and other wharves in that neighbourhood.

3122. That traffic was taken off that part of your canal by reason of the fresh competition of the new railway?—Yes.

3123. You do not mean to say that the whole of your canal is so full of traffic that you cannot do any more?—No, the main congestion is at the two ends. We could pass a much larger traffic over the intervening sections, and for the long-distance traffic.

3124. You could do a much larger traffic if you could distribute the tonnage upon different places upon your canal?—Yes.

3125. But could you do more than you do now at the Manchester end of your canal?—I am afraid not.

3126. That is the point at which the traffic is thickest?—Yes.

Sir *William Houldsworth.*

3127. How do you reconcile that last statement with the fact which you stated yesterday, that in 1876 you did pass 50 per cent. more traffic, 903,000 tons instead of 600,000?—The larger portion of that traffic of which you now speak has gone entirely, and came over a length of the canal which did not reach the bottom where our main congestion is. In Manchester, above the point of Brownsfield Lock, where the stone traffic used to be brought to, it did not get into the narrow congested length between Brownsfield and Castlefield.

3128. Where did it come from, and where did it land?—It came from Luddenden Foot, Sowerby Bridge, and several places along to the far end.

3129. Where did it land between Newton Heath and Brownsfield Lock?—In the neighbourhood of Brownsfield Lock.

3130. What was the nature of the traffic?—Stone, and traffic from the east coast of various kinds brought by Messrs. Jackson's. I think that is mainly the traffic that came in that direction.

3131. What do you attribute the falling off of the traffic to. Is there no more stone coming?—The stone is still got from the quarries, but it goes away by railway. Facilities have been afforded that we could not possibly afford.

3132. Is it cheaper to carry by railway?—It is cheaper in a sense, because it can be done with less cartage.

3133. How is that; because the stone has to get to the railway as it has to get to the canal, and it has to get away from the railway as it has to get away from the canal?—It is a considerable distance away from the canal, there is cartage from Mount Tabor. It is at least three miles from the canal, and the railway facilities and sidings, and the opening of the new lines there have certainly had the effect of abstracting traffic. There is another thing I should say in connection with that. Of the bye-traders, three or four who were engaged almost exclusively in that trade have died, and there has been no breed of bye-traders of that class to take their place.

3134. If the stone has to come they could use you as carriers, could they not?—We do not carry that class of traffic; it requires almost a special class of boat. We confine ourselves to through-traffic in Class C. and classes above. Stone of the type I was speaking of would be in the lower classes, A. and B.

Lord *Hawkesbury.*

3135. Is that accounted for by the fact that all the buildings in that portion of Manchester has been completed, and there is no necessity for the stone?—That is a suggestion that is correct.

Sir *Richard Paget.*

3136. Is any of the stone road-stone?—No, it is not all building stone; it is flag-stones that are used for paving.

3137. Is the demand for the Yorkshire flags still a considerable one?—Not in that neighbourhood. Manchester has been very largely covered with these stones, and it only requires to be replaced at long intervals. Liverpool, to a very large extent, consumed stone of that kind for paving purposes, and when the hard flags are down they last for many years, and I cannot say that the traffic would be a normal continuous annual traffic. There may have been a spurt.

3138. There is a traffic by the railway company, because they can convey it at a lower rate than you can?—The railway company has facilities, by lines all over the country, taking it to many places that the canal company cannot take to. By our geographical position we can only bring it in the direction of one line; whereas the railways spread themselves like a spider's web all over the country.

3139. Would you not be able to regain some of the lost traffic if you fixed a rate that would help you to obtain it, if you fixed a lower rate?—We did fix a very low rate indeed. I think

Sir *Richard Paget*—continued.

the last carriers paid us 1*s.* 6*d.* through, or something like that.

Mr. *Spicer.*

3140. You say that a good deal of the stone came through to Liverpool?—Yes.

3141. But it came through to the Liverpool Docks through the narrow part?—Some traffic comes now.

3142. The question which we are anxious to clear up is this: You stated yesterday that it was not possible to get any more traffic; then, at a later stage, it came out that you had carried 50 per cent. more tonnage?—Yes.

3143. Many of us in business, if we can get 50 per cent. more out of the same stationary plant, I do not say without additional expense, know that it makes all the difference between a profit and a loss?—Yes.

Chairman.] The 50 per cent. was on a different part of the canal.

Mr. *Spicer.*] A good deal of this stone which for convenience, came through to Liverpool, therefore it came through the narrow part.

Witness.] A portion of that traffic from other quarries is still going to Liverpool.

Sir *William Houldsworth.*

3144. Do you anticipate an addition of traffic on your canal from the Manchester Ship Canal?—I hope so.

3145. Largely?—We hope so.

3146. Up to your full capacity, do you think?—Yes, I hope so; but I am afraid that some of what will come will pass up only for short distances.

3147. To Middleton; that is, Oldham?—We do not touch Oldham; Middleton Junction.

3148. The neighbourhood of the junction?—The mills situate alongside the canal have not been getting their cotton by canal, but have been getting it by road. I am told by those engaged in the trade that it is cheaper to get it by road though it comes from Liverpool. It is brought to Manchester by boat and then is carted from Manchester to the mills.

3149. With regard to Rochdale, would you expect a large additional traffic to Rochdale from the Ship Canal?—We hope so; but that is very much in the hands of the Manchester Ship Canal Company themselves, as they are carriers upon the Rochdale Canal.

3150. That is the Bridgewater part of it?—Yes.

Mr. *Balfour Browne.*

3151. (Through the *Committee.*) Is not the cartage in the case of this stone as long to the railway as it is to the canal?—I think not. I should like to add this: It is a traffic which we as carriers have never touched. At the time when the carriage of the traffic was entirely in the hands of bye-traders, of course we did not bother ourselves in connection with carrying; we merely received the toll; we did not canvass for traffic; we did not try and induce traffic to come; we were merely passive spectators of what went on. When we became carriers, of course we had to put ourselves actively in line to get traffic and canvass for it.

Sir *William Houldsworth.*

3152. Is there any reason why you should not take up the trade of stone carriers?—I am afraid we could not do it as well as independent traders.

3153. Independent traders are not doing it; would not it pay you to become carriers of that article and to encourage the carrying of it on the canal?—This question of carrying has become a serious question with us lately. We are the newest people in the carrying trade. With our new boats we have gone in for carrying the better class of traffic. It may be that we may eventually become carriers of traffic of all descriptions, but of course that involves the purchase of new plant, and till this Schedule is settled I do not see the avenues in which we are to raise additional capital. Plant is very expensive for canal carrying. We bought a great deal, as much as our resources would stand, but we have no plant of the character suitable for carrying this lower class traffic.

3154. Have you ever thought of using the payments from the railway companies in purchasing additional plant, or in developing the canal?—I cannot say that we have.

3155. You have used them as dividend, as a matter of fact?—Yes.

3156. And you do not know of any suggestion being made that the payment made by the railway companies should be used in developing the carrying power of the canal?—No. I should explain this with regard to our getting capital. The Act of 1845 gives canal companies the power to become carriers, and we were advised that the capital to be raised for that purpose should be by the issue of debenture stock, specially allocated for carrying purposes.

3157. There is nothing in your Act to prevent your using this money which you obtained from the railway companies in the way I have suggested?—I think not.

Mr. *Moon.*

3158. You did raise 48,000*l.* on 3½ per cent. debentures?—Yes.

Sir *William Houldsworth.*

3159. In what year?—At the end of 1888.

Mr. *Moon.*

3160. And your credit then was so good that not only did you issue those 3½ per cent. debentures but you received a premium upon them?—Yes.

3161. Which of course appears in your capital account?—Yes.

Mr. *Balfour Browne.*

3162. What amount for premiums was received upon those debenture?—£2,000.

Mr. *Moon.*

3163. Did you spend that in the purchase of steam-tugs and other carrying plant for the purpose of carrying on a competition with the railway companies?—Yes.

3164. You gave an illustration of traffic, not only stone traffic but other traffic carried by that firm of carriers in 1876 when this 900,000 tons was carried, and you said at first it stopped short of Brownsfield Lock?—A portion of it.

3165. What

Mr. *Moon*—continued.

3165. What sort of proportion of it, was it the larger proportion or the smaller proportion which stopped short of Brownsfield Lock?—I think it was a substantial proportion—say half.

3166. Was there other traffic using parts of the canal other than the portion between Brownsfield Lock and the Bridgewater, which travelled then and has ceased to travel now?—Yes; there was a considerable quantity of building materials, rough stone and bricks used in the building of mills, carried between various points, locally. Those mills have been built, and I am afraid the district is rather over-built with mills, and consequently there is not the same traffic as there was then.

3167. In Lancashire there are mills enough?—There would seem to be so at present.

Sir *William Houldsworth.*

3168. I hope they are going to build some more some day?—I hope so.

Mr. *Moon.*

3169. Let me put another matter to you. It is only mills in the neighborhood of the canal, is not it, that you can use stone brought by your canal?—That is so.

Mr. *Balfour Browne.*] I am told a large quantity of this stone goes for shipment.

Mr. *Moon.*

3170. I am talking now of mills. Let us go back to this quarry that you spoke of where they got additional facilities from the railway company in 1876. How far is the railway from the quarry?—I do not know very precisely; I should say a couple of miles.

3171. Therefore there there is a longer cartage to the railway than there is to the canal?—Yes.

3172. When you come to Manchester the railway can deliver stone at any part of Manchester, or almost any part of Manchester?—Any part of Manchester. The rates from almost all points from which we carry include delivery at any railway station within Manchester.

3173. Whereas your point of delivery is confined to Dale-street Basin?—Yes.

3174. Therefore you can only supply, advantageously, that part of Manchester where the cartage is less from the Dale-street Basin than it is from the railway company's premises?—Yes.

3175. I think the Dale-street Basin is in close proximity to the London-road Station, which is the largest station in Manchester?—Yes.

3176. Speaking generally, do you do your best to put as much traffic upon your canal as you can in your own interest?—We do. We have made strenuous efforts within the last five years.

3177. I may remind the Committee in relation to this little piece at the Manchester end, you are not at present asking for higher tolls than the Board of Trade propose to give you?—No.

3178. My learned friend says we are, at the Sowerby end. That is true, but the Manchester end is the important end; I will deal with Sowerby Bridge presently. It was suggested

Mr. *Moon*—continued.

to you that, besides your tolls and carrying profit, you have other sources of revenue, namely, rents of cottages, and rents of water, and so forth?—Yes.

3179. Are the whole of those sources of revenue, rents, and everything else brought into the accounts, which only enables you to pay a 10 *s.* per cent. dividend?—Yes.

3180. And therefore if you had not those extraneous sources of revenue you could not make a living at all upon your tolls and carrying charges?—No.

3181. There was one other question I wanted to ask you about, because I think there was a little misapprehension about it yesterday. I understood you to say yesterday that as regarded traffic coming from the Ashton Canal and locked down into your canal, you, upon the whole, gained water from the Ashton Canal?—That is not what I intended to say, if I was understood to say that; it is quite the other way.

3182. Is it the fact that on the traffic that comes from the Ashton Canal you lose water instead of gaining it?—Yes. If the boats work in pairs together over the Bridgewater Canal and the Rochdale Canal into the Ashton Canal, they then bring us sufficient water to work them on the Rochdale Canal. In all other cases, water is lost to the Rochdale Canal. In cases where the boats coming in from the Ashton Canal work either singly or in pairs to go through the Brownsfield Lock up the canal, the whole of the water for lockage has to come out of the Rochdale Canal reservoirs, and in the cases where boats work singly to or from the Ashton Canal, half of the lockage water has to be run from the reservoirs.

3183. You have taken out the boats that passed between the Rochdale Canal and the Ashton Canal for five months from the 1st of January to the 31st of May?—Yes, the five first months in this year.

3184. Are these the figures. Through the Dale-street Lock there passed 2,237 loaded boats, and 1,626 empty ones?—Yes.

3185. Through the Dale-street Basin eight loaded and seven empty, and through Brownsfield Lock 280 loaded and 370 empty, or a total of 4,494 barges?—Yes.

3186. As to those barges which came from Ashton, did 1,012 work in pairs?—1,012 of those boats worked in pairs.

3187. Does that mean that 1,012 pairs went, or that 1,012 went in pairs?—1,012 boats went in pairs, involving 506 lockages.

3188. And 1,839 went singly?—Yes.

3189. The Dale-street Basin boats, of course, are not locked?—They are not locked.

3190. Through the Brownsfield Lock did 79 pairs of boats go?—Yes.

1391. And 458 single boats?—Yes.

3192. So you have got 1,091 pairs and 2,297 single boats?—That is so.

3193. That is to say, twice as many boats go through single as pairs?—Yes.

3194. So the traffic that comes to you from the Ashton Canal and goes to the Ashton Canal from you cost you over 1,000 locks?—Yes.

3195. And, as you say, the water of those 1,000

Mr. *Moon*—continued.

locks has to be run down 18 miles from somewhere near the summit?—Yes.

3196. If you can get enough traffic at the part above Manchester, between Brownsfield Lock and Failsworth Lock, from the other end of the canal, the water after that traffic has stopped is useful to traffic which enters or uses the canal below Brownsfield Lock?—Yes.

3197. I will ask you to go to the Tables for a moment. First of all I will take you to the Table of maximum tolls. That Table shows that on certain special articles, namely from "line" down to "other minerals" your present toll per ton per mile is 1½*d.* in the case of three things and 2*d.* in the case of the others?—Yes.

3198. But in respect of all other materials, wares, merchandise and commodities, and timber and goods, if the traffic passes through a lock your maximum toll per ton per mile is 4*d.*?—Yes.

3199. I suppose there is no traffic upon your canal that does not pass through a lock, practically?—Practically, that is so.

3200. In order that I may correct myself I will put this question to you. I asked you yesterday with regard to the first item in Table F. what your maximum toll was upon the 3,453 tons, which travelled for a quarter of a mile and you told me 4*d.* Did you mean 4*d.* per ton per mile?—Yes, at the rate of 4*d.* a ton a mile.

3201. As regards that particular traffic you would have power under the Board of Trade proposals to charge more than the amount you at present charge?—Yes, assuming we could charge it.

3202. But that depends not on the question of bonus mileage or the question of toll but upon what the minimum charge is to be for the use of a lock-full of water?—Yes, the minimum boat toll.

3203. That we shall discuss hereafter. What class of traffic is that?—Mainly coal.

3204. Where does it come from?—It comes off the Bridgewater Canal and goes up to two coal wharves situated almost at the bottom end of the canal; it goes up one or two locks at the bottom end.

3205. It uses as much water as if it went right away to the summit of the canal?—Yes.

3206. Dealing still with Table F. I want to ask you a question about the column which shows your maxima upon the Rochdale Canals' proposals. In calculating those maxima, which shows, in some instances, that your maximum would be considerably above what your actual revenue is, have you in some instances, but not in all, not only credited yourselves with the five miles bonus which you are now asking for, but have you also calculated that five miles out at a higher toll than you are asking for?—Yes, in accordance with our amendments.

3207. So you have given yourselves in those maxima the result of all the amendments, alternative and otherwise, which you are going to propose to the Committee?—Yes.

3208. So that for the purposes of your present proposal, which is a bonus mileage upon the Board of Trade proposals, the maxima shown

Mr. *Moon*—continued.

there are higher than your present proposals?—Yes.

3209. Take the second item in Table F., what is that traffic, do you know?—To a considerable extent it is coal, gas-water, and other things of a low class.

3210. Using your canal for not more than half-a-mile?—Yes.

3211. There again the Board of Trade gives you a maximum of 93*l.* I suppose that depends on the question what you are to receive as the minimum toll for the use of a lock of water?—Yes.

3212. I see at two miles there is a tonnage of 10,996; your actual revenue is 237*l.*; your proposed maximum is 269*l.*, from which you must take off the figure, whatever it is, that is due to the fact of your having attributed to yourselves on the five miles a higher toll than you are at present asking for?—Yes.

3213. That is the same all the way through?—Yes.

3214. Taking the first item, traffic which goes for a quarter of a mile, do you think you could get even the maximum which the Board of Trade propose?—No, I am afraid not; if we tried, the trade would not come.

3215. So you would not be able to get it in the case of that particular traffic, but you want it for the purpose of other traffic in the class and the distance?—Yes.

Chairman.

3216. Do you say that the five miles which you propose for the first quarter of a mile would be a prohibitory toll, and that you would not get the traffic on to your canal at that charge?—We should not, in that instance, be able to obtain it.

3217. So far as the first quarter of a mile goes, the five miles would not only not be of any use, but would be really a disadvantage?—Of course we have looked at it more from the point of view of dealing with all other traffic which is in that class going short distances. It happens in this particular instance it would press with the greatest weight, and frankly I will say I do not think we should get the maximum charge under any circumstances.

3218. Having got power to charge that five miles you could reduce the charge?—It would be reduced in this way, competition would reduce it.

3219. You would have the power to reduce the five miles to two miles?—We must work according to what we can get, and in the case of any difficulty I assume the Railway Commissioners would regulate us.

3220. If you found the five miles too much you might reduce it?—On that particular distance only.

3221. I mean as far as the first quarter of a-mile goes?—Yes.

3222. You might reduce it on all traffic carried over that quarter of a-mile?—Yes, I must admit that we might do so.

Sir *William Houldsworth.*

3223. You would only charge five miles where you felt you were not stopping the traffic?—That is so.

3224. There

Mr. *Moon*.

3224. There always must be some traffic which you could not get your maximum from?—Yes.

3225. And if your tolls were cut down so as to cover only the traffic from which you get the least toll there would be very little toll left?—Very little toll left.

3226. In connection with this I want you to put in some figures to show what your present powers are, so as to show how very much below your present powers your actual charges are. Will you take Table E., and instead of putting another Table in I will ask the Committee to write the figures down in another column headed "Present Powers."

Sir *William Houldsworth*.] That is to say your present maximum powers.

Mr. *Moon*.

3227. Yes. (To the *Witness*.) Will you first give the figure for Class A., you may leave out the shillings and pence?—Our actual revenue is 722*l*., our present maximum power upon that traffic would be 1,007*l*.

3228. What would be your maximum present powers on Class B.?—£2,354.

3229. Class C.?—£2,022.

3230. Class 1?—£1,652.

3231. Class 2?—£152.

3232. Class 3?—£839. In Class 4, there is a consignment, a very small one indeed. Our gross maximum powers are 9*s*. 9*d*.; it is an exceptionally small consignment.

3233. That is not worth considering?—No. Class 5, 17*l*.

3234. Are these maximum powers based upon the actual traffic which passed in those two months?—They are exactly in parity with the other figures in that column.

3235. It shows that in A. your present powers would enable you to charge 1,000*l*. if you could get it; but you can only get 722*l*.?—Yes.

3236. And in the case of B. the disparity between your actual revenue and your present powers is very enormous indeed?—Very much greater; 730*l*. against 2,354*l*., the maximum.

3237. In the same way, in Class 1, you have power to charge 1,600*l*., and only charge 483*l*.?—Yes.

3238. In point of fact, is your position here that you do not want a margin, but you do want to have your present revenue preserved?—Yes.

3239. But in preserving your present revenue does it necessarily involve the granting to you of a margin that you will not be able to use?—That is so.

3240. There were some particular sorts of traffic to which you were cross-examined by my learned friend Mr. Waghorn, timber from Castlefield on to Brownsfield Lock, a mile and a half?—Yes.

3241. Is your present charge for that 6*d*.?—Yes.

3242. Having regard to the use of 12 locks of water and the accommodation that you provide in the expensive part of Manchester, is that 6*d*. too much?—I think not; it is a very moderate figure.

3243. Who brings that traffic?—It is brought by bye-traders.

Mr. *Moon*—continued.

3244. Does the Bridgewater Canal bring any timber?—I think they do; they are bye-traders upon our canal.

3245. Does the Bridgewater bring large quantities of other traffic at the same price?—Yes.

3246. Are they large bye-traders in grain?—Yes, they carry a fair traffic; it is not a speciality with them.

3247. Generally speaking, do they use that bottom part of your canal as a convenient point for the distribution of their goods throughout Manchester?—They do.

3248. But if you calculate the toll by the amount of mileage of canal they only use a very small portion though a very valuable portion of your canal?—That is so.

3249. I think they have large terminal accommodation in the Dale-street Basin?—Yes, within a mile of our terminus; their main terminus of their navigation is at the bottom of our locks, and they have established themselves a mile above our locks, giving them very large terminal premises in the middle of Manchester.

3250. They use your front stairs to get up to their drawing-room?—Yes.

Sir *William Houldsworth*.

3251. Where are the terminal places?—Charlton-street, close to the Police Court.

Chairman.

3252. The witness said he did not want a margin; he wanted to preserve their present revenue. (To the *Witness*.) How does the present revenue meet the current expenses?—It barely covers them; it leaves us just this margin.

Mr. *Moon*.

3253. You add your tolls to the profit you make as carriers, you add to that the rent you obtain from water rates, and you add the rent which you obtain from cottage property, which amounts to 4,000*l*., and is the result of it added all together in 1893 to barely meet your working expenses?—That is so.

Sir *Richard Paget*.

3254. Your annual statement of accounts is 1,046*l*.?—Yes; every source of revenue is there brought into account, and the expenses put against it leave that result.

Mr. *Moon*.

3255. The loss that you would suffer under the Board of Trade proposal would be 2.000*l*., so that you would not pay your way upon that?—No, there would be a loss upon that of 1,000*l*.

Mr. *Spicer*.

3256. I understand you to say that you would be content if you could see your way to retain your present revenue?—Yes.

3257. You maintain, as I gather, that the Board of Trade proposals, though in the total they give you a larger sum on each class of goods, arranged as they have been given in the Schedule of the Board of Trade, in actual working would not bring in the same revenue as your present revenue?

Mr. *Spicer*—continued.

revenue?—That is it; there would be theoretical gains shown, but we think they are unattainable. The actual losses would be absolute and immediate.

3258. Am I to understand that if the Board of Trade had asked you for a list of your present tolls, and had incorporated that list into their Schedule, you would have been content?—I am afraid I do not follow you.

3259. You say you only want to get your present revenue, but under the Board of Trade proposals you would not get that revenue, though in each class of trade they show a surplus. Supposing the Board of Trade said to you, will you give us a list of your present rates and tolls, and supposing they had gone further and based their Schedule entirely on your present rates, so as to bring you in the same amount of traffic and the same revenue, would you be content?—If the thing stood as a toll list and absolutely nothing else, I could not raise an objection, but the Provisional Order as it stands——

3260. Just answer the question: you say if the Board of Trade had accepted your present rates and tolls you would have been satisfied?—I do not think personally I should have raised any objection.

Chairman.

3261. You do not say you would not be satisfied, but you would not raise any objection?—This Provisional Order contains more than the toll provisions, it contains a classification, and the classification is like a weft through the whole thing from beginning to end, and it would be impossible by merely putting it in in the way suggested to deal with it.

Sir *Richard Paget.*

3262. It is an entire re-arrangement?—Yes, an entire re-arrangement that has been our main difficulty from the first.

Mr. *Spicer.*

3263. The Board of Trade proposals make not only an alteration in many of the tolls, but also an alteration in the classification?—Yes.

Mr. *Moon.*

3264. May I turn to the classification for a moment? Take your Class B., can you get the same amount of toll from every article that is in Class B. or can you get a greater toll from one article than from another?—That is so.

3265. In the same way in all the classes?—Yes.

3266. There are some articles that approach the upper class, and some articles that approach the lower class?—Yes.

3267. To give an illustration: under your present powers creosote would come under wares, merchandise, and other commodities for which you could charge 4*d.*?—Yes.

3268. Is creosote in Class A.?—Yes.

3269. That is the lowest class?—Yes.

Sir *William Houldsworth.*

3270. What maximum does that Schedule give?——

Mr. *Moon.*

3271. 0·75*d.* against 4*d.*; that they can charge at present. (To the *Witness.*) And do charge?—Yes, and do charge.

Mr. *Spicer.*

3272. You have given us these extra columns to-day to the Schedule E. You have not worked out, I suppose, what the tonnage would give you under the Board of Trade proposals?—No, there has not been time for that.

Mr. *Moon.*] I do not think you are following the honourable Member.

Mr. *Spicer.*

3273. You have given us your actual revenue on a given quantity?—Yes.

3274. You have given us what you might have charged if it had been possible to charge your maximum powers. It would have been so extremely convenient to the Committee if we had had a column showing us what that amount of traffic would mean if worked out upon the present Board of Trade proposals?—It contains the whole; that is merely an additional illustration of the Table itself.

3275. That is the maximum power?—Yes, but the tonnage is in classes.

Mr. *Moon.*] The actual receipts would indicate the actual revenue minus the losses.

Mr. *Spicer.*] Those losses are, you say, problematical; they are not actual?

Mr. *Moon.*] The losses could not be problematical, because we could not charge more than the actual revenue minus the loss; they are actual losses. The gains are paper gains, because if we get the margin we cannot charge them. But when the Act of Parliament says you shall not charge more than 0·75*d.* where you now charge 4*d.*, that is not a problematical loss; it is actual loss.

Sir *William Houldsworth.*] You lose where the maximum comes below what you charge?

Mr. *Moon.*] Yes.

Sir *William Houldsworth.*] And you do not gain because you cannot charge?

Mr. *Moon.*] No; that is precisely the position.

Mr. *Spicer.*] That is, you assert you connot charge it?

Mr. *Moon.*

3276. We assert we cannot charge it, and we produce this column showing our present maximum power in order to show that our assertion is true, because we could charge it if we could get it. (To the *Witness.*) Do you carry as carriers traffic from the Ashton Canal?—No.

Mr. *Carr.*] May I ask one question on the new column added to Table E., which we had no opportunity of asking Mr. Dykes anything about on cross-examination?

Chairman.] Yes.

Mr. *Carr.*

3277. That new column of your maximum powers are your original powers?—Yes.

3278. They have never been revised by legislation?—No.

3279. Are

Mr. *Carr*—continued.

3279. Are you aware that some of the neighbouring canals have had some of their original powers revised by subsequent legislation?—As part of the Inquiry of which this is a continuation?

3280. No, long before this Inquiry, during the present century; you are one of the lucky ones who have escaped such legislative revision?—We are 100 years old.

Mr. *Waghorn.*] May I ask a question upon the water being drawn from the Ashton Canal, which is entirely new matter?

Chairman.] No; that is part of what you were at the whole of yesterday; if you want to ask any question upon the new figures put in we will hear you, but we cannot go back upon all the evidence that was taken yesterday.

Mr. *Waghorn.*] There was a fresh matter introduced.

Chairman.] If in re-examination Mr. Moon put any question that he ought not to have put, then was the time for you to have taken objection.

Mr. *Waghorn.*] I will not ask the question. I bow at once to the decision of the Committee; but there is one other point as to which Mr. Moon did raise some new matter, and I did object. I would like to ask the witness upon that if I may. Mr. Moon put to the Committee yesterday afternoon that the witness was not charging the maximum upon certain of the shortest of this traffic. I would like to ask whether he does or not.

Chairman.] You say Mr. Moon asked it in examination-in-chief, is that so?

Mr. *Waghorn.*] No, it was the last observation just before the adjournment. Mr. Moon said they were not charging their maximum in certain instances. I challenged it, and I now want to ask the witness whether it is so or not.

Mr. *Moon.*] I should like to know what my learned friend says is wrong. Perhaps he will cross-examine me.

Chairman.] What is Mr. Moon's statement?

Mr. *Waghorn.*] Upon the last page of the Minutes Mr. Moon makes the statement.

Chairman.] Upon that occasion I was examining Mr. Moon; it was in answer to a question that I put to him. I asked for an explanation of the third item in Table F., then he says, "Mr. Dykes has stated that we were were charging our maximum power on the first two items, and no doubt we are; but upon the third, he has not stated that, and I do not know whether it is so or not. All I can say is, for the sake of illustration, it is perfectly clear that there are many articles on which at present we have power to charge 4*d.* a ton a mile, and we are not charging upon the whole of those articles up to our maximum power, even with respect to that specific destination. I might now hand in a short statement showing what the maximum powers of the company are." That has nothing to do with the witness.

Mr. *Waghorn.*] Then he hands in the statement. Now, I wish to ask the witness: Is he charging this power or not in two or three of the items which are here; but I will not press the point if the Committee think it irregular. I think the Committee would like to have the information.

Mr. *Moon.*] If my learned friend wants to point out an erroneous inference I should be very glad for him to do so.

Mr. *Waghorn.*

3281. It is in the nature of a suggestion. (To the *Witness.*) In your Table F., under the first two items, you admit you are charging your maximum powers?—I think we are.

3282. You are charging your maximum powers on the two items, 2,880*l.*?—I cannot tell you absolutely it is so; I think, as a matter of fact, we are.

3283. On the third item, one mile, 7,603 tons, where you charge 99*l.*; is that your maximum power?——

Chairman.] This is going into the whole question of yesterday. These figures have nothing to do with what Mr. Moon told me.

Mr. *Waghorn.*] I will prove it by witness.

Chairman.] If you can prove it in a legitimate manner do, but not in an illegitimate way.

Mr. *Whitehead.*] I want to ask a question upon the column just put in on Table E.

Chairman.] That is new matter.

Mr. *Whitehead.*

3284. (To the *Witness.*) Your maximum upon creosote, you say, is 4*d.* per ton per mile?—Yes.

3285. That is because creosote is not specially mentioned in your old Act?—Yes.

3286. Though limestone is mentioned?—Yes.

3287. Lime, dung, manure, clay, sand, gravel, coal, and stone; these are specifically mentioned and the toll is fixed?—Yes.

3288. But upon every other article, all the other 2,000 or 3,000 articles, there is no toll fixed in your old Act, therefore they are chargeable at 4*d.*?—Yes.

3289. That is the reason of it?—Yes.

Chairman (to Mr. *Dykes.*) I may say that you have given your evidence in a very clear and straightforward way.

[The Witness is directed to withdraw.

MR. CLEMENT MOLYNEUX ROYDS, is called in; and, having been Sworn, is Examined, as follows:—

Mr. *Moon.*

3290. YOU live at Greenhill, Rochdale, and have been Chairman of the Rochdale Canal Company since 1874?—I have.

3291. I do not want to go into any figures with you, because they have been elaborately discussed through Mr. Dykes; but I want to ask you a question or two as to your present relations with the railway companies. Mr. Dykes told us that the relations between yourselves and the Lancashire and Yorkshire and other railway companies, came to an end in 1888; is that so?—Yes.

3292. It has been suggested by my learned friend Mr. Balfour Browne, for the Calder and Hebble Canal Company, that though your connection with the railway company has come to an end, a fresh connection will be certain as soon as this Schedule has passed; is there any ground at all for that suggestion at all?—Not the slightest. It is an idea that never would enter into the heads of the Rochdale Canal Company.

3293. Are you absolutely free from all railway influence whatever?—Absolutely entirely.

Mr. *Spicer.*

3294. You were for some years working on a verbal understanding with the railway company, were you not?—We were.

3295. It is a little unusual, is it not, for a comparatively large company to be left to a verbal agreement?—Perhaps it might be.

3296. How many years was that verbal agreement in existence?—It was running from 1876 to 1888; from the time of the termination of the lease to 1888, when the arrangement ceased.

3297. Then the terms of the agreement ran on to 1892?—No; the arrangement with the railway company ceased in 1888 when they paid us down a lump sum in consideration of that relationship ceasing.

3298. Then no writing had taken place at all in connection with that agreement?—None at all.

3299. And you do not care to make any explanation why it was a verbal agreement, and not an ordinary agreement?—It was satisfactory to us. That was all that I had to do with. We knew the railway people very well, and their

Mr. *Spicer*—continued.

word was sufficient assurance to us that what they agreed to would be carried out.

Sir *William Houldsworth.*

3300. Had you actual correspondence upon the subject?—No.

3301. It was all done verbally?—Yes.

3302. Was the arrangement with yourself?—Not with myself; it was done through the officials.

Cross-examined by Mr. *Carr.*

3303. You say the whole arrangement came to an end in 1888, but there were subsequent payments going on till 1892?—Yes.

3304. So that you cannot say that the whole arrangement came to an end till 1892?——

Chairman.] The lease terminated in 1888, do I understand?

Mr. *Carr.*

3305. The lease terminated in 1876, did it not?—Yes.

3306. And then there was an arrangement going on till 1888?—We made an arrangement, and the arrangement was completed by deferred payment in four years.

3307. Till those payments were made you cannot say that the arrangement was at an end?—It was at an end in 1888.

3308. It would not have been at an end if you had not been paid the deferred payments?—It was part of the agreement.

3309. You did not get the payment down in 1888, you got the payment in 1892?—It is the same as if I sold a house and got payment for it in four instalments.

3310. If you had not had the last payment you would have come down upon the railway company for it?—I suppose so.

Re-examined by Mr. *Moon.*

3311. Were you, as we heard, during the years when the instalments were being made, in active competition with the railway company?—Yes.

3312. Doing all you knew to get traffic back on to your canal?—Certainly.

The Witness is directed to withdraw.

MR. WALTER SOMERSET, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Brierley.*

3313. YOU are traffic manager of the Leeds and Liverpool Canal?—I am.

3314. Do you know well the Rochdale Canal?—I do.

3315. Specially at the Manchester end?—Yes.

3316. Is that, as we have heard, a very expensive portion of the canal to maintain?—I consider it a very expensive portion of the canal from the Bridgewater to the Brownsfield Lock on account of its heavy lockage. There are 10 locks in the section and it is walled on both sides with masonry and brick-walling.

Mr. *Brierley*—continued.

3317. Would you consider that a portion of the canal which deserves special treatment in the matter of tolls?—Most decidedly, because it is a very

Mr. *Brierley*—continued.

very expensive canal to the Rochdale Canal in the water that is used.

3318. As compared with the Leeds and Liverpool Canal, is it a difficult canal to work?—On the first section of the Leeds and Liverpool Canal we have 25 miles without a lock; upon this they have a mile and a-quarter with 10 locks; consequently the expense in passing the traffic to the Rochdale Canal is greater.

3319. And it makes the canal more expensive to work than the Leeds and Liverpool Canal?—Most decidedly, at that end.

3320. Have you gone over the statements in these various Tables that have been put in before the Committee?—I do not know whether you would like me to say what I saw last week. I went over the section last week, and I saw, owing to the slight movement of the boats going up and down in strings, water running to waste into the Bridgewater Canal; I think at the rate of 75,000 gallons every 10 minutes; and I watched it for some time. It was owing to the boats not going one up and one down that there was that water wasted really.

3321. Was that an unavoidable incident of the traffic?—Quite so, on that section.

3322. It cannot be avoided by any effort of management upon the part of the canal company?—If you put a regulation restricting it to be one up and one down, the traffic could not pass the canal.

Sir *William Houldsworth.*

3323. If there was more traffic there would be more traffic pass with the same water?—On the short-distance traffic, supposing a boat goes from Castlefield to Brownsfield, every one of the locks is full as the boat leaves; when the boat is coming down it enters the top lock, the pond is a very short one, the water runs over the lock-gates to waste, and it has emptied every one of the locks; so that a boat would frequently take three or four locks of water in going down that short length.

3324. If instead of taking one boat you pass two in a lock of water, it would be less cost of water per ton?—Of course it would.

3325. Therefore if there was more traffic going through, they would pass two boats instead of one?—Always supposing that at every lock one boat was ready to go up and one down.

3326. If there was more traffic it is more likely that that would happen, is it not?—Yes; if there was an even quantity of traffic going up with that which was coming down.

Mr. *Young.*

3327. Is this the portion of the canal upon which the last witness said there was 72 per cent. of traffic?—Yes.

Mr. *Brierley.*

3328. Have you verified these Tables that have been placed before the Committee?—I have.

3329. You worked them out yourself?—I worked the numbers out, and they have been prepared under my supervision.

3330. They show that it is absolutely necessary that the proposals of the Rochdale Canal Company should be accepted if their revenue is to be maintained?—If the revenue is to be maintained the bonus mileage and the amended proposal to the Board of Trade figures are necessary.

3331. Is there anything unreasonable in the bonus mileage asked for as compared with the Leeds and Liverpool Canal?—I do not think there is. In the Leeds and Liverpool case last year, although the company cut us down very severely, yet they doubled our mileage for five miles at the Leeds and Liverpool ends.

Chairman.] You cannot compare the two.

Sir *William Houldsworth.*

3332. You are engineer of a competing company?—I am traffic manager of the Leeds and Liverpool Canal.

3333. That is a competing company?—No, we do not touch Manchester or Rochdale; we take the north route to Leeds.

3334. It is competing from Liverpool?—We do not touch the same towns.

Mr. *Spicer.*

3335. You have a working agreement with the Rochdale Canal Company with regard to these western places?—The only arrangement that was made, a great many years ago, was that we would not go to Wakefield and Huddersfield, and that the Rochdale company should not compete for rates, and the reason was that we could not go to Wakefield or Huddersfield to make a profit.

3336. As a matter of fact, you do not compete with one another?—No, because we serve different districts.

Chairman.

3337. You do not compete; that is the answer?—Yes.

Cross-examined by Mr. *Waghorn.*

3338. What do you estimate as being the cost of repairs of the ten locks in Manchester?—I am not the engineer, and I do not know anything of the cost of maintenance.

3339. Is the engineer coming; I understand that you are giving evidence upon the point?—I am giving evidence simply on the traffic statement.

3340. You said it was expensive at the Manchester end, that there were 10 locks to repair. I want to know what you put this expense at?——

Chairman.] This gentleman cannot say what is the cost of maintenance of the Rochdale Canal, because he is the traffic manager of the Leeds and Liverpool Canal. He can only give his opinion that 10 locks in a mile and a-half is expensive to work as compared with the 25 miles above the locks.

Mr. *Waghorn.*] The expense of 10 locks is the reason of putting a larger amount on to the traffic, and I want to know whether the amount they put on to the tolls bears any proportion to the cost of each lock.

Witness.] Do you mean the cost of maintenance?

Mr. *Waghorn*—continued.

3341. Yes?—I cannot give any evidence upon that.

Chairman.

3342. If you do not know it, say you do not know it?—I do not know it.

Mr. *Waghorn.*

3343. You have assisted, have you not, in the preparation of these Tables?—I have.

3344. Just look at Table I.?—The traffic Tables, I mean.

3345. Yes. You notice that the total amount received on that typical traffic for freight is 2,341*l.*?—Yes.

3346. What should you consider would be a reasonable amount to attribute to toll upon that amount of freight?—I can only answer that question by a comparison of the traffic on our own canal. That is a very different system to the Rochdale Canal, and I cannot give a satisfactory answer to that.

3347. You have no idea what would be a fair amount to attribute for toll to that traffic?—Not on the Rochdale Canal.

3348. Wherein would consist any difference in that matter?—I should say the cost of working through a canal like the Rochdale Canal is higher than our cost on the length with no locks; that is my own opinion.

3349. You consider that a larger proportion would be due to the freight than if it were on your own canal for the expense of carrying?—The expense of carrying through a canal heavily locked would be higher than on a long reach without locks.

3350. On your canal, according to the evidence you gave, you would estimate about 800*l.* as a fair amount as the toll upon that traffic, the remainder being freight expenses?—On our own canal I believe that was about the proportion. I gave in evidence one-third for toll, and the other for working expenses.

3351. Inasmuch as the expenses are higher upon the Rochdale Canal, 800*l.* would not be attributable to toll out of that amount?—I cannot answer your question satisfactorily.

3352. You did answer it just now; you said the expenses would be heavier?—I should say they would be heavier.

3353. You have also compared the accuracy of this last column. The maximum powers proposed for freight by the Rochdale Canal Company come to 3,000*l.*?—Yes.

3354. Comparing what they ask for freight, with what they ask for toll, would not that show that on that traffic they would be asking about 2,000*l.* for tolls?—On the basis of the Leeds and Liverpool Canal charges?

3355. No, upon the basis of their own Schedules?—I do not see a Table put in from which I could take that out.

3356. Take Class 3 traffic. The maximum freight which they can charge according to the Schedule which is submitted by the Board of Trade and agreed to, is 2¾*d.*, is it not.

Chairman.] These figures are what the Rochdale Company propose.

Mr. *Waghorn.*

3357. The Rochdale Company propose the same figures as the Board of Trade for the rates, and the traders admit the rates; so that the question of rates for freight is not in dispute. It amounts to 2·75*d.* upon the first 10 miles?—Yes.

3358. According to your view, the toll should certainly not exceed 0·80*d.* per ton per mile, should it? If one third of the gross rates should be toll, the rate should not amount to more than 0·80*d.*?—If this was upon our own navigation, the Leeds and Liverpool Navigation, I admit that it would be so.

3359. They would charge 0·80*d.* for toll upon yours; but the expenses are higher upon the Rochdale, and consequently they could not charge 0·80*d.* for toll?—I do not say so. I say I cannot give a satisfactory answer for the Rochdale Canal.

3360. You told the Committee sufficient to enable them to arrive at it. Do you know what the Rochdale Company ask by their proposals for that Class 3 traffic, for tolls?—I understand they are taking the Board of Trade figures.

3361. For tolls, I ask?—They take the Board of Trade figures with the bonus mileage.

3362. For tolls?—For tolls.

3363. I do not follow you. They ask 1½*d.* for tolls on third-class traffic?—A subsequent amendment has been put in by Mr. Moon.

Mr. *Brierley.*] The whole of this evidence has been given by the Rochdale Canal Company upon the basis that the figures for the tolls should be those proposed by the Board of Trade with our proposals as to bonus mileage. I understood from the first that that was so.

Mr. *Balfour Browne.*] I understood Mr. Cripps to open the case in this way, that if they got those enormous bonuses they would be content to take the Board of Trade tolls, but if, on the other hand, they do not get the bonuses, they would not be content with the Board of Trade tolls; that is the way in which it was opened.

Chairman.] I believe that is so; that is what I have understood.

Mr. *Brierley.*] That is so.

Mr. *Waghorn.*

3364. (To the *Witness.*) You can draw a comparison with the tolls of the Board of Trade. If the tolls can only be one-third of the rate, could a trader compete against a rate of 2·75*d.*, and pay a toll of 1¼*d.*?—Yes, he could.

3365. In what way?—It would give him 1½*d.* a mile for carrying.

3366. I will take your answer for the moment, because I want to call your attention to another item, still upon this same Table. This Class 3 traffic would be chargeable at 2¾*d.* per ton per mile; that would give you 2,277*l.* The amount actually charged is 1,635*l.*; have you worked out how much that is per ton per mile?—I have not.

3367. It would be about 1½*d.*, would it not?—It depends upon the distance it travels.

Chairman.] Are you objecting to the tolls proposed by the Board of Trade?

Mr.

Mr. *Waghorn.*] Yes.

Chairman.] We are on bonus mileage only, at present.

Mr. *Waghorn.*] Then I can cross-examine to this later on. May I pray the indulgence of the Committee for a moment? Following the decision of the Committee, when I was cross-examining Mr. Dykes yesterday, I understood that the Committee wished the cross-examination to be confined as far as possible to the question of the five miles extra mileage. I went over the whole of the Tables put in, but confining myself to what seemed to me to be the point of the five miles bonus mileage; now I want to cross-examine the witness as to the relation of tolls and other matters. I would rather do it later on, if the Committee will allow me; but if this is the only opportunity of asking questions I want to ask them now.

Chairman.] We are now on bonus mileage and not on tolls.

Mr. *Waghorn.*] I would rather ask the questions later on. I have done with the bonus mileage.

Chairman.] The question may or may not arise according to the decision of the Committee.

Mr. *Waghorn.*] I will take my chance about that. I feel that it is the wish of the Committee that I should not cover the whole ground at the present moment, but I must ask the question by-and-bye.

Chairman.] If it is necessary that you should do so, and if the Inquiry takes that turn, you will be entitled to cross-examine; but at the present time we wish to confine ourselves to the five-mile clause.

Mr. *Waghorn.*] That is what I have been endeavouring to do.

Cross-examined by Mr. *Balfour Browne.*

3368. There is only one question I would like to ask. You have given evidence before as to how much of a total figure, including rate and toll, represents toll?—Yes, I did; on the Leeds and Liverpool.

3369. What is the proportion representing toll as compared with freightage charges?—On our canal one-third toll and two-thirds carriage; carriage and terminal expenses.

Cross-examined by Mr. *Whitehead.*

3370. One question about this water; you said when you visited the canal water was running to waste?—Yes.

3371. Take this case: suppose a boat to come through from Rochdale to Heywood, it would bring down a lock of water with it as far as Heywood?—Yes.

3372. Suppose the barge stopped there and did not come down to these lower reaches, would not that lock flow over the weir and come to the lower reaches of the canal?—Yes, it would come down till it came to this pool at Failsworth.

3373. Therefore if no traffic was passing in these lower reaches there would be an appearance of a waste of water?—If no traffic was passing in the lower reaches the water certainly would flow down.

Mr. *Whitehead*—continued.

3374. Because there was traffic on the higher reaches?—Yes.

Re-examined by Mr. *Brierley.*

3375. Is your opinion as to the proportion of toll to rate confined to the Leeds and Liverpool Canal?—Yes, certainly; it is confined to the Leeds and Liverpool.

3376. You do not lay it down as a general rule applying to all canals?—No.

3377. With regard to the Rochdale Canal, would you consider that the toll should bear a higher proportion to the rate than in the case of the Leeds and Liverpool?—On the Rochdale Canal the competition is so keen that the freight rates are cut so low that that proportion would not be a fair one.

Sir *Richard Paget.*

3378. Are you able to suggest what the fair proportion would be?—I have not sufficient experience of the Rochdale Canal to make a suggestion.

Chairman.

3379. I see the rate on the Leeds and Liverpool for Class A. is ·90 and the toll is ·50?—Yes.

3380. That is not quite the same proportion as you gave us just now?—The Committee gave us that, and we did not refuse the higher toll.

3381. You gave the proportion as two-thirds and one-third?—That is the practical working out. Suppose we have a total rate of 10*s.*, I estimate that 3*s.* 4*d.* is toll and 6*s.* 8*d.* working expenses and stations and terminals.

3382. That is the practical working of it?—Yes.

3383. Not according to the Schedule?—No.

Mr. *Cripps.*] That is the case for the Rochdale Canal Company.

Mr. *Balfour Browne.*] I propose, with your permission, to say a few words before I call my evidence. I am bound to say that this case is, I think, about one of the worst you have had before you. The Board of Trade has allowed them bonuses which increase their mileage by 8½ miles. The whole length of their canal, as you know, is 32 miles; therefore they fictitiously increase the length by the Board of Trade Order by 25 per cent. The company are not content with that, and they are asking to increase it by 14½ miles, or something like 50 per cent., and upon no ground whatever. My learned friend Mr. Cripps appealed to the Committee, apparently *in formâ pauperis*, and said if they did not get these enormous powers this canal would be bankrupt. You have heard now how this canal has been managed. First, as you know, for years it was in railway hands. Why? Was that in the interests of the railway companies, or in the interests of the traders? Obviously, in the interests of the railway companies. When that lease came to an end the railway companies continued to subsidise the canal from 1876 to 1888. Why again? In the interests of the public? Certainly not. In the interests only of the railway companies. Even since that time,

from 1888 down to 1892, you hear that these railway companies have paid out of their own pocket 7,500*l.* a year to the canal company. Why again? In order that the railway companies might get a *quid pro quo;* that *quid pro quo* being the traffic on their own lines diverted from the canal, and for no other purpose whatever. Why should those railway companies pay this canal company 7,500*l.* a-year. Have you any explanation? You had the Chairman in the box, and you had the manager in the box, but no explanation was given at all, and I do not think the Committee will believe that the Lancashire and Yorkshire and other railway companies, simply out of generosity, paid 7,500*l.* a-year to this canal company, which they had no right to do, unless they got something for it. What was that something? That something was the traffic diverted from the canal on to the railways, and I do not hesitate to say, if the Committee give the canal these bonus mileages, which we are now opposing, the result will be still further to enhance the traffic of the railway companies, and still further to denude the traffic which the canal at present carries. What is the process which has been going on. There is one kind of canal company which I think can be fairly trusted, and it is the only one, that is a canal company that simply owns a canal and takes tolls. Whenever a canal company, however, becomes a carrier it has an interest antagonistic to the traders on the canal. This canal company in the year 1888 (curiously enough at the very same time that the railway company said, "We cannot go on any longer leasing your canal") became a carrier. With what view? With the object of running the other traders off the road. And what have they done? They are not only running the traders off by the tolls they are charging, but they are doing it by absolutely borrowing money at 3½ per cent. and buying up the other traders. With what view? With the view of closing the canal against the public and in the interests of the railway companies. You heard that some time ago they bought the whole plant of William Jackson and Company, who were carriers on the canal. You have it now admitted that having undertaken the trade they cannot make it pay, and Mr. Dykes told you they are going to give up that trade. They raised a capital of 48,000*l.* on 3½ per cent. debentures, with a bonus of 2,000*l.* for this purpose. They are running the traffic off the canal, and this important waterway between the east and the west of England will be closed—closed against the traders in the interest of the railway companies, who will get all the traffic. If you look at the little map they put in you see that this is by far the most important waterway between the east and the west of England. But I cannot help thinking that the Committee, if they look at that map, will bear in mind what they did with regard to that yellow canal. That Huddersfield Canal, as you remember, was in the hands of the London and North Western. The London and North Western came and asked very large tolls, as the trader said, with a view of preventing traffic going. What did the Committee do? The Committee refused to listen to them, and they sanctioned the tolls which were allowed by the Board of Trade without a bonus from beginning to end. There is no bonus mileage on that route. That route is exceedingly difficult to work, therefore it falls very heavily on the traders; there is no bonus mileage on either end of that narrow canal, the Huddersfield Canal, and yet these Rochdale people come and ask for three separate bonuses, and upon what ground? Upon no ground whatever. They tell you that those parts upon which the bonus is to be laid by the Board of Trade proposal were expensive to construct. What has that to do with it? As one of the honourable Members elicited yesterday, even if you give these tolls they cannot get any interest upon the capital of 481,000*l.*, or 760,000*l.*, which was the original cost. Therefore the original cost has nothing to do with the Inquiry. If those were importan parts, if they did cost a great deal, Parliament would in the first instance have given them a bonus upon them, but Parliament never did. The whole line was to be treated as one. They have not shown any great expense in working, and if there is such great expense, who does it fall upon? It falls largely upon the traders, not upon them. Now, with regard to the water, they say the water is very expensive. As one of the members of the Committee suggested to-day, all these defects in the canal that they speak about might have been avoided if they had chosen out of the railway company's money, but instead of putting the 7,500*l.* to the improvement of their canal, what did they do? They chose to divide the money, so it has gone into their pockets instead of having been expended as it ought to have been in the improvement of the canal. They say the water is difficult to be got. Out of the water that they have they sell large quantities to the Lancashire and Yorkshire, they get as much as 1,300*l.* a year, last year it was 1,100*l.*, but they get 1,300*l.* a year, on the average, for the water they sell. That does not look as if they were in straits for water. What does Mr. Dykes tell the Committee in answer to Sir William Houldsworth yesterday. He was asked at Question 2927 "Are your water reserves any worse now than in 1876?—(*A.*) Yes. (*Q.*) In what respect; have you fewer reservoirs? — (*A.*) Not fewer reservoirs, but they are silted up to some extent." Is that our fault? Is that a reason for putting tolls upon us? It is a reason for punishing this company. This company has neglected its duty, it has had money which it might have utilised in developing the canal. Instead of that they have allowed the reservoirs to silt up, and then they come and say to the Committee, "We have not water, and therefore we want these high tolls." Another method in which they are trying to stop the canal against traders who want to use it at present is this, they are succeeding in killing the exchange traffic with the Calder and Hebble. Before 1888, of course all the traffic was in the hands of bye-traders. There was far more traffic then, but the little traffic exchanged now is in this proportion: In the year 1892 we received 40,276 tons, of which the Rochdale Company were carriers, and we only received 11,423 tons carried by bye-traders, so that they are practically getting the whole of this traffic into their hands, as it is their interest to do; and they are seeking

seeking to charge excessive tolls, which will further kill the bye-traders and drive the traffic into their own hands; and when they get it, you have no assurance that the trade will be carried on. The whole object as I understand of this important legislation in 1888 was that these waterways should be kept open as highways—that the public should have the full use of them. This company is trying to bar this by means of what is equivalent to bar tolls, and they are put on at both ends to prevent that exchange of traffic which might otherwise take place. We can show you that by the Board of Trade allowances the tolls that were charged in 1888 (that was before they became carriers) will in some cases be doubled, in other cases trebled, and in other cases quadrupled, with what result?

Mr. *Cripps.*] You are comparing the maximum with the actual.

Mr. *Balfour Browne.*] Yes, I know what has always been said, that that is not a fair comparison, that you must trust companies not to charge the maximum. We know what happened in the case of railways—when your Grace was sitting upon the Committee you were assured over and over again by the railway companies that they were not going to charge their maxima. It was said, these are only maxima that we are asking—it does not follow that we shall charge them. What was the result? Immediately afterwards they went and raised their rates to the maxima, in consequence of which another Committee has sat, and legislation is proposed before the other House just now to prevent railway companies doing what they said they would not do. We cannot trust these companies. The whole idea of legislation is that they are to be regulated, but where is the regulation, if as I can show you, the actual is one, and the maximum is four times as great. Look at the Tables they have put in. I think some of them are curiously misleading. I ask you to look at Table F., and take the two first items that were mentioned. Their actual revenue for 3,453 tons was 16*l.* 5*s.* Remember that is not only actual, that is maximum; they are charging the very highest they can for that 3,000 tons. What does the Board of Trade propose to allow them to charge? On their own Table, where they show that their maximum is 16*l.* 5*s.*, the Board of Trade propose to allow them 64*l.* The result would be that that traffic would be stopped, and that is the object. The next item is also similar. There, again, they admit they are charging their maximum. Their revenue, charging their maximum, is 41*l.* 1*s.* 11*d.* The Board of Trade say you may charge, if you like, 93*l.* 1*s.* 8*d.* There is no trade in that district that can stand anything like those charges. They themselves where they have the power at present to get 16*l.* 5*s.*, ask by means of these bonuses to have the right to charge 91*l.* 7*s.* 4*d.*; and in the next case where their actual revenue is 41*l.* 1*s.* 11*d.*, they ask to have the power to charge 131*l.* 2*s.* 4*d.*

Sir *Richard Paget.*] There are instances the other way?

Mr. *Balfour Browne.*] I am quite aware of that, but those instances are not carried into the last column. You ought to have a debtor and creditor account. They do not carry out any gains into the last column—they only carry out the losses on actual revenue—they ought to have carried out the gains on actual revenue. The gains on those two items are enormous. Wherever there is a blank that is a gain. They carry the losses into the last column, but they do not say what the gains are. If your Grace will look at Table F. on page 223 of the Notes, you will see that there is a blank against everything except the first two items on that page; there is nothing carried out at all, so that all those must be gains. Then going back to Table E., we find it is a fictitious Table, and gives you no real guidance; they make their present receipts from all the traffic in all the classes 2,925*l.*, and the Board of Trade allowances on the same traffic amount to 3,317*l.* Then they put in another column the losses on actual revenue under the Board of Trade proposals, amounting to 339*l.*, but where are the gains? They never give us credit for a farthing of the gains; the gains may be enormous. Now they have an explanation. They say sometimes these gains cannot be realised, and are not attainable; that is the word they use. Whose word have we for that? You have not had any illustration of it; they merely say whenever you give us a greater power we cannot exercise it, and whenever you give us a smaller power we lose. There is no evidence of that.

Sir *Richard Paget.*] They have made an additional column to Table E. to-day showing their present maximum powers.

Mr. *Balfour Browne.*] Yes; is that any guidance to you? What is the use of these old maxima? They might have charged on that first item in Table E., instead of 722*l.*, 1,007*l.*, as I understand the figures, but that is not quite an answer. What I want to know is this: Why in Tables E. and F., instead of merely carrying out the losses, they have not carried out the gains which they get under the Board of Trade proposal. It is quite obvious, taking the two first items in Table F., 16*l.* raised to 64*l.* by the Board of Trade proposals, and 41*l.* raised to 93*l.* is a large gain, and I can show you that some of that could be obtained and some of it would no doubt be obtained. But further, you have it that low tolls would probably have the effect of increasing the traffic, and, as I understood, Mr. Dykes, in answer to one of the members of the Committee, distinctly said that they hoped to have increased traffic in consequence of the Ship Canal both to Rochdale and elsewhere, but if they are to have increased traffic, that would compensate for lower tolls. On the other hand, if you give them these higher tolls, and they choose to exact them, I can prove that the traffic cannot possibly go, and practically the exchange traffic between this canal and other canals will be stopped. Now, again, you will find, when I come to the evidence, that the important matter in this regard is, as far as possible, to keep down the tolls; it is the tolls that the bye-trader has to pay. I will give you an illustration. Instead of being one-third rate and two-thirds toll, as Mr. Somerset says it is upon the Leeds and Liverpool Canal, on many canals the toll is very much less in proportion. On the through

traffic to London from the Birmingham district the toll is only one-fourth, while the carriage charges are three-fourths of the total sum charged. Take another, Halifax to Hull; the total rate is 8*s*. 4*d*., and the toll 3*s*. I could give you numerous other illustrations which show that in every instance the toll here is excessively high. With what object? It would not matter to this company where it got its money unless it were charging high tolls in order to drive the bye-traders off the road. If they keep up the tolls away go the bye-traders and all the traffic gets into their own hands. Instead of being one-third and two-thirds, in most cases they charge over one-half toll, and only with one intention, of driving the traffic into their own hands in the first place, and then the traffic is driven off the road altogether. You will not disregard the fact that though this is not, at this instant a railway canal, it is still closely connected with the railway. My learned friend suggested yesterday that there was something in the Act of Parliament, and that I was suggesting something quite improper. At page 235 he said, "I would call attention to the Act Parliament of 1888, which prevents any railway company from directly or indirectly controlling the business of a canal company, and renders the directors personally liable having anything to do with the control of the business of a canal company." Would you believe that the section he read after that statement does not bear out that statement at all? The directors of this canal company are directors of other railway companies in the neighbourhood, as we will show you. Therefore you may have directors both of the canal company and the railway company. But what does the section say? "No railway company or director or officer of a railway company shall, without express statutory authority, apply, or use, or authorise, or permit the application or use of any part of the company's funds for the purpose of——" What? Control? No. "for the purpose of acquiring, either in the name of the railway company or of any director or officer of the railway company or other person, any canal interest." All that section prohibits is that the funds of the railway company are not to be used for acquiring a canal interest. What is a canal interest? The section itself tells us, because it says in Sub-section 3, "In this section the expression 'canal interest' means shares in the capital of a canal company, and includes any interest of any kind in a canal company or in a canal." So that the section only prohibits a railway company from applying its corporate funds for the purchase of canal shares. Where is the personal liability of the directors that my learned friend Mr. Moon referred to? There is not a word about it. Where is the forbidding of control? No such thing in the section.

Mr. *Brierley.*] Any interest of any kind?

Mr. *Balfour Browne.*] Any interest of any kind must be read *ejusdem generis*. What can it mean? It is only applying the corporate funds for acquiring a canal interest. Does my learned friend mean to tell you that these railway companies did things that were illegal from 1888 to 1892? He tells you that they paid 7,500*l*. a-year to this canal company, and he has never told you what for. Why was it stopped in 1892—let me ask him that,—at the very time that this Schedule was coming before the Board of Trade?

Mr. *Young.*] The debt was paid.

Mr. *Balfour Browne.*] There was no debt. What was the debt? The lease had come to an end in 1876, the payments were continued under an arrangement curiously enough not in writing, and mere understanding from 1876 down to 1888. It was not a debt; it was a voluntary giving of money by the railway company to the canal company for something, I suggest. But not only that; in 1888 they put their heads together and said, We cannot go on with this. Why? Not because that section forbade it. But they knew that Section 24 said the tolls shall be revised by the Board of Trade and by Parliament. I suggest to you that it was because of the revision of the tolls that they said, Now we cannot go on giving you this in perpetuity; we will give you a lump sum or 7,500*l*. a-year down to the year 1892. Sir, I suggest to you, notwithstanding what has been said by the chairman of the company, and I see what he said, that this is being managed in the interest of the railway companies, that as the railway directors are not bound it will be worked in the interest of the railway companies unless you step in and say, We will cut down these tolls; we will make this highway from the east to the west on a par with the Huddersfield Canal. You have already settled the tolls for that. You know what difficulties and disabilities the traders are under upon that canal. I say treat the canal in the same way. Do not give them more than you gave to the Huddersfield Canal. You doubted whether the London and North Western Company would work their canal in the interest of the public, therefore you cut down their tolls. I ask you to doubt whether this company will. The payments are disposed of, and I ask you to doubt that the company will use the canal in the interest of the public; if not, it was made for the benefit of the public, and I ask you not to give any of these tolls which they ask, which they have failed to prove the necessity of. Bonus tolls have been allowed under exceptional circumstances. Your Grace said you could not go into other cases. You do not know the circumstances of the Leeds and Liverpool and other cases, but you do know the circumstances of the Huddersfield Canal and the Bridgewater Canal. You have not allowed any bonus mileage upon the Huddersfield Canal, which is a link similar to this, as their own plan shows you, between the east and west of England. You have not allowed a bonus there at all, and I ask you to say you will not allow any bonus to this company. I can show by evidence that if these bonuses are allowed the effect will be that this canal will be shut up.

I have simply addressed you upon the question of bonus mileage; but if your Grace strikes out the bonus mileage, though I have an amendment with regard to the tolls, I should not advise my clients to ask you to alter the tolls allowed by the Board of Trade.

Mr. *Cripps.*] But we shall have to ask that.

MR. HENRY TRICE SWINDELLS, is called in; and, having been Sworn, is Examined, as follows :—

Mr. *Balfour Browne.*

3384. YOU are general manager of the Calder and Hebble navigation?—I am.

3385. The Calder and Hebble navigation is part of the through route formed by the Rochdale and other canals between the east and west of England?—It is.

3386. It is shown in green upon the little section behind you?—Yes.

3387. What is the length of your canal?—Twenty-one and-a-half miles of main line, and a branch of a mile and-a-half.

3388. Have you a considerable number of locks upon your canal?—We have three to a mile, including the flood locks.

3389. Is there a considerable amount of traffic passing up the Aire and Calder, and the Calder and Hebble Navigation?—Fairly large.

3390. Does some of it exchange with the Rochdale Canal at Sowerby Bridge?—Yes.

3391. Do you get a certain amount of traffic from the Rochdale Canal at Sowerby Bridge?—Yes.

3392. Do you know the tolls which were charged by the Rochdale Canal before they became carriers?—Yes, I know with reference to the Manchester end. I refer now to the very large proportion which has been represented as 75 per cent. of their total traffic as to the tolls in operation between them and the Bridgewater, upon the Manchester side.

3393. Have you a Table of your own showing what tolls were charged in 1888?—I think so.

3394. Having got that Table, can you tell the Committee whether since that time the tolls have been increased?—This has reference to through rates that were in operation up to the end of 1888, but by the action of the Rochdale Canal Company those figures were cancelled. As to the rates in operation since that time, I am unable to speak.

3395. Up to that time, before it became a a carrier, there were through tolls between the Bridgewater and the Rochdale?—Yes; I am speaking now with reference to the traffic exchanged between the Rochdale Canal and tha Bridgewater Canal.

3396. Rates or tolls?—Entirely tolls

3397. It could not be anything else before the company became a carrier?—No.

3398. Have you compared those tolls with what the Board of Trade proposes to allow this company?—Yes, I have picked out typical commodities, and compared them with the Board of Trade proposals, and I find that in some instances the toll would be increased 600 per cent., in other cases 400 per cent; in other cases 300 per cent.

3399. In some cases 600 per cent., in others 400 per cent., and in some 300 per cent.?—Yes.

3400. In order that my learned friend may test the accuracy of that, will you give some of those illustrations?—I take gasw-ater going to Newton Heath, a distance of four miles, the rate of toll in operation to the end of 1888 was one penny; but the proposals of the Board of Trade, including the bonus distance, would give them 6*d.*

Mr. *Balfour Browne*—continued.

3401. What you have done is this: you take gas-water; you found in 1888 the toll was 1*d.*; you now find it in Classes A. and B.; you took up the toll for A. and B., and find that 1*d.*, with the bonus upon it, would be 6*d.*, an increase of 5*d.* compared with 1*d.*

Sir *William Houldsworth.*] That is the Board of Trade proposal and the Board of Trade bonus.

Witness.] I have included the proposal by the Board of Trade in Bill No. 2, including the bonus distance.

Mr. *Balfour Browne.*

3402. Take another?—Take timber, Class C., for the same distance, Newton Heath, a distance of four miles, up to the end of 1888 the toll would amount to 3*d.*, but under the proposals now before the Committee under Bill No. 2, 8*d.* would be realised.

3403. Eightpence compared with 3*d.*?—Yes.

Sir *Richard Paget.*

3404. Are you still comparing with the Board of Trade figures?—The Board of Trade figures entirely.

Sir *William Houldsworth.*

3405. The first figures you gave us were the actual tolls in 1888, and the Board of Trade is a maximum?—Yes.

Chairman.

3406. Are you now making these comparisons as to small distances or through-tolls?—I can take it to almost any distance. I have given four miles as a typical distance, but I can take it to a further distance.

3407. I want to know what distance you take?—Four miles.

Mr. *Cripps.*

3408. Are these through-tolls? I understand these are through-tolls?—I had better read the heading; "Classification of goods for through-rates of toll chargeable on traffic passing from or to Leigh, Preston Brook, Runcorn, or Weston on the Bridgewater Canals, from or to Runcorn on the Old Quay Navigation to or from places beyond Grimshaw Bridge or Ten Acre Wharf on the Rochdale Canal. Grimshaw Wharf is distant three miles from the Bridgewater Canal."

Mr. *Balfour Browne.*

3409. Just give us, in order to be quite certain, an illustration of the longer distance?—Take Rochdale, and take gas-water again, up to the end of 1888 it amounted to 3·437*d.*, but under the proposals of the Board of Trade it would amount to 12·75*d.*

Mr. *Balfour Browne*—continued.

3410. What distance is that?—Thirteen and three-quarter miles.

3411. Have you got salt there?—I do not happen to have that; I have salt cake.

3412. That is not the same thing, is it?—Not exactly.

3413. You have a great list there, but are they very similar to what you have quoted?—Yes, those I quoted are fairly typical instances.

3414. You have not chosen out the worst?—No, I picked them indiscriminately.

3415. Just let me understand. If anything like those tolls were to be charged on the Rochdale Canal, would it be possible to have any interchange of traffic at all?—I am sure it would not. I instance these particular figures because it has been represented that 75 per cent. of the total tonnage of the Rochdale Canal is represented as being between the Bridgewater and the Rochdale.

3416. On their own Table it is shown that 75 per cent. is exchanged traffic between the Rochdale and the Bridgewater?—Yes.

3417. Therefore these figures are applicable to that traffic?—Yes.

Sir *Richard Paget.*

3418. The figures you gave us were figures actually in force up to the end of 1888?—Yes.

3419. Do you know what the figures were in the period succeeding that time?—I cannot say what figure has been in operation between 1888 and the present time.

3420. But you are able to say that these were the actual figures in use?—I take the outside Table, and there you get Manchester.

Mr. *Balfour Browne.*

3421. These are actual tolls taken from their own Table of 1888. Now how did they come to an end. When they became carriers the through toll was discontinued?—The through tolls were cancelled by Mr. Dykes at the end of 1888.

3422. That does not look as if they were facilitating traffic, does it?—No, we have been at a deadlock as to the interchange of traffic; we have not been able to get any through rates agreed.

3423. Are through rates a great inducement to send traffic?—For the longer distances it is impossible to do without them.

3424. They were cancelled in 1888, as you say?—Yes.

3425. Now about the proportion of tolls; have you got out certain total figures and found out what proportion the toll bears to the total on the Rochdale Canal?—Yes.

Chairman.] Do I understand from this witness, that at the present moment there is no interchange of traffic between the Rochdale Canal and the Calder and Hebble Navigation?

Witness.] There is an interchange of traffic; we have adhered to the through rates in operation up to 1888; we have never cancelled them; but I am unable to say what figures have been adopted by the Rochdale Canal Company themselves.

Chairman.] That is not my point. I understood you to say that no traffic passed from one canal to the other.

Mr. *Balfour Browne.*

3426–7. You said since the through rate was taken off in 1888, you are at a deadlock?—By saying that, I mean we have not been able upon any fresh traffic to obtain a through rate with the Bridgewater Canal Company.

Chairman.

3428. You do not mean that there is no interchange of the traffic?—Certainly not.

3429. Is the traffic less now than before?—It has been falling gradually.

Sir *William Houldsworth.*

3430. The block refers to the fact that you cannot get through rates; it does not mean block the traffic?—No.

Mr. *Cripps.*] The instances you referred to do not affect the Calder and Hebble. The Bridgewater Company are satisfied, we have very amicable arrangements with them.

Mr. *Balfour Browne.*

3431. Have you a Table showing the through rates in existence between certain places that your canal serves, and that the Rochdale Canal serves?—No. I have carefully avoided getting that information out. It was objected to at the late Inquiry, but I have taken out on certain traffic that passes in the district on our own canal what would be realised under the proposals of the Board of Trade, so far as toll is concerned, and what would be left as profit, and the working expenses of the bye-trader.

3432. Have you the least idea upon your own canal what proportion the toll bears to the rate. First, I will ask you this: Yours is simply a toll-taking canal?—Yes.

3433. You do not carry at all?—No.

3434. But the traders upon your canal pay the rates themselves?—Yes.

3435. What proportion does the toll bear to the rate?—A fair all round figure is that the toll should be one-third.

3436. Have you any illustration. Take the one I put to their Lordships, Halifax to Hull?—Taking it generally, I may say upon our own canal that that is about the average; but I believe on some canals it even goes as low as one-fourth.

3437. On your own canal it would be one-third?—Yes.

3438. Is there anything so startlingly different between your canal and its continuation of the Rochdale?—I do not see that there is, except that their water is fed by reservoirs.

3439. But these reservoirs are in existence?—Yes, they are made amongst the hills.

3440. Is it a fact that from Halifax to Hull the total charge, rate and toll included, is 8*s.* 4*d.*?—Yes.

3441. How much of that represents toll?—Three shillings.

3442. Have you done the same for some of the

Mr. *Balfour Browne*—continued.

the Rochdale Canal rates, separated the toll and the rate?—Yes.

3443. Tell the Committee what proportion they bear?—This is traffic that I know is in the habit of passing, we will say, from Sowerby Bridge to Hebden Bridge on the Rochdale Canal. I find that on sulphate of ammonia the proposals of the Board of Trade, so far as the rates are concerned, in Bill No. 2, would allow them 10·062*d.* and the toll 5·75*d.*, that is Class C.; so that the residue left for profit and working expenses is 4·312*d.*

3444. There the toll amounts to more than the rate?—Yes.

3445. Do you think that bye-traders could carry on the trade under these circumstances?—I have no hesitation in saying they could not.

3446. Will you give the Committee another illustration?—Take grain and flour as passing between Sowerby Bridge and Todmorden, Class C. again, the rate as proposed would realise 17·50*d.* and the tolls 10*d.*, and the residue for profit and working expenses is 7½*d.*

3447. The same answer would apply to that; the trade could not be done under those conditions?—No.

Chairman.

3448. Have you taken out what is the actual state of things?—I am unable to say, for this reason, so far as we are concerned the whole of the merchandise traffic exchanged between ourselves and the Rochdale Canal Company is carried in their own boats.

3449. This calculation you have given us is carried in their own boats?—These are calculations based upon the Bill No. 2, to find out the proportion between toll and freight.

Mr. *Balfour Browne.*] It would not be so. If the trader went on the canal in the particular instance given he would have to pay the Rochdale Canal Company the toll, and then only have the residue for his own profit and working expenses.

Chairman.

3450. The witness has given us what would be the price if Bill No. 2 were passed; I want to know what is the price at present?—I will give you an illustration. Up to the time that Messrs. Jackson were working their boats as private bye-traders the toll they paid to the Rochdale Canal Company on grain and flour to Todmorden was 7½*d.*, but what would be realised under the Board of Trade proposal would be 10*d.*

3451. What is the state of things at the present day; you told us what it would be under Bill No. 2, and you have drawn your conclusions; that it would be impossible for traders to work under that charge as now?—Considering that they carried the whole of the merchandise traffic I cannot say.

Mr. *Balfour Browne.*

3452. You have no means of knowing what they do because they do not charge the traders?—No.

3453. In order to show that that is the case, is it the fact that of all the traffic exchanged between you and the Rochdale Canal last year, most of it was in the Rochdale Company's own hands?—Yes, out of 51,000 tons exchanged, 40,000 tons were carried in their own boats; the remainder of 11,000 tons was principally coal going for a very short distance.

Mr. *Spicer.*

3454. Cannot you say what that coal would have come to at the old rate, the present rate, and what it would be under the Board of Trade proposal?—Take brick.

Chairman.] Take coal that you mentioned.

Mr. *Balfour Browne.*

3455. Have you got it there?—I am afraid this does not give the information.

3456. You gave us coal just now?—I cannot give you that information.

Mr. *Spicer.*

3457. Which is the largest item; what other article is there?—This is not with reference to traffic which has actually passed; it is making a comparison of the proposals of the Board of Trade as between rates and tolls.

Chairman.

3458. This is theory against practice?—That is so.

Lord *Clifford of Chudleigh.*

3459. You have been giving us the figures from the scheduled tolls of the company in 1838; is there no document that it is possible to get at the present moment giving these tolls. Have they ceased to issue any tolls at all?—They have ceased to agree to through rates.

Chairman.] That is another matter altogether.

Lord *Clifford of Chudleigh.*

3460. You gave us the tolls for 1888 and we want the other tolls now; you say you cannot give them because no traffic passes—whether the traffic passes or not there must be a Schedule of tolls?—I speak of grain to Todmorden at the end of 1888.

3461. But you cannot tell us now?—Because it is carried in their own boats.

3462. If I had a boat and put it on, there must be a means of getting at the tolls they are going to charge, or do they publish no tolls?—I cannot say.

Mr. *Balfour Browne.*

3463. You do not know what toll they would charge if there were a boat?—No.

Chairman.] Not what they would, but what they do charge, that is what we want to know.

Mr. *Balfour Browne.*

3464. All the merchandise traffic is handed over to you by the Rochdale Canal Company, there is no bye-trader carrying merchandise traffic?—No.

3465. There is a little coal but you have not got it?—No.

3466. In order to find out what they used to do you

Mr. *Balfour Browne*—continued.

you must go back to the time when merchandise traffic was carried by bye-traders?—Yes.

3467. You found that in 1888 Messrs. Jackson and Company were paying 7½*d.* for grain to Todmorden?—Yes.

3468. That 7½*d.* would, if the Board of Trade Order were sanctioned, be charged 10*d.*?—That is so.

3469. And if the canal company got its way I see it would be 1*s.* 3·25*d.*?—Yes.

3470. That is what the toll would be as compared with 7½*d.* which it was when there was a bye-trader carrying grain and flour?—Yes.

Chairman.

3471. Have you gone into this yourself?—These are figures prepared by myself, or under my direction.

Mr. *Balfour Browne.*

3472. I have a great number of other illustrations, but it is not necessary to go into them. In your view would it be more expensive for a bye-trader to work upon the Rochdale Canal or upon the Huddersfield Canal?—It would be less expensive for him to work upon the Rochdale Canal.

3473. Because it is a better canal?—Yes, he can take a much bigger weight.

3474. Under these circumstances, if it is easier for him to work, do you see why the toll should be any higher upon the Rochdale than upon the Huddersfield Canal?—No, the physical difficulties of the Huddersfield Canal are much greater than they are on the Rochdale Canal.

3475. Just one or two questions as to the bonus. In the first place, at your end, Sowerby Bridge; there they have five locks in three miles?—Yes. I do not know that of my own knowledge.

3476 Is there anything exceptional in that?—No, in one part of the canal we have thirteen locks in four and a-quarter miles.

Chairman.] Two blacks do not make a white.

Mr. *Balfour Browne.*] No, I do not say they do.

Cross-examined by Mr. *Cripps.*

3477. I want to ask you a question or two about the illustrations you gave. You, as manager of the Calder and Hebble, are not interested in the exchange between the Rochdale and the Bridgewater, except so far as it affects any through traffic?—Yes, that is so.

3478. And therefore the figures that you gave are not given because they affect the Calder and Hebble, but merely as general criticisms?—General criticism, to show that the proposals are too large.

3479. Now see what your figures are. You gave us the case of gas-water carried on a through toll for four miles to Newton Heath. What would have been the maximum charge under the old system when 1*d.* was the actual charge?—The maximum power you said?

3480. Yes?—One shilling and fourpence, I take it.

3481. What would the maximum power be under the new proposed Schedule?—I have already given you the figure, 6*d.*

Mr. *Cripps*—continued.

3482. Have you any reason for saying that, as between the Bridgewater and the Rochdale Canals, there is the slightest friction or trouble in fixing the actual through toll at the present time?—I am unable to say.

3483. What you were comparing was a new maximum with an old actual maximum?—Yes.

3484. You know perfectly well as regards through tolls they can be arranged between the parties, and in addition if they cannot arrange them the matter is to be settled by the Railway Commissioners?—Yes, but it is an expensive luxury to go before the Railway Commissioners.

3485. You are not connected with the Bridgewater Canal. Are you aware that there has ever been the smallest difficulty in fixing an actual through toll on terms satisfactory to both parties between the Bridgewater and the Rochdale Canals?—It is not a matter coming under my cognizance.

3486. Now take the next illustration. At the Rochdale end you took grain in Class C.?—Yes, I think so.

3487. Then you told us you dealt with the actual charge of 3*d.*?—No, 4*d.*

Sir *William Houldsworth.*] Timber was the actual charge, not grain. The grain came in when he was comparing the rates and the toll under the Schedule.

Mr. *Cripps.*

3488. Take timber; what was the actual charge as to timber?—Threepence.

3489. What was the old maximum at the time it was charged?—You would still quadruple the amount, 1*s.* 4*d.*

3490. What would the new maximum be?—Eightpence.

3491. Therefore, comparing that maximum, there is a reduction of half. I put this again. So far as you know, has there ever been the smallest difficulty in fixing the actual rate between the Bridgewater Canal on one side, and the Rochdale Canal upon the other?—No, not that I know of.

3492. You took one other illustration; you took an illustration in connection with Rochdale, 13¾ miles?—Yes.

3493. What was the article there?—Gas-water.

3494. Is that traffic that comes on to your system?—We do have gas-water.

3495. I take the particular illustration?—This particular commodity, seeing that it only goes to Rochdale, could not come on the Calder and Hebble.

3496. What is the local rate?—It is traffic confined to your own navigation.

3497. What was the actual charge made?—3·437*d.*

3498. What was the maximum that we could have made?—I presume you would multiply 13¾ miles by 4*d.*

3499. Between 4*s.* and 5*s.*?—I do not see that the powers given have anything to do with it.

3500. What would the maximum be under the Board of Trade proposals as against the four times the 13¾ miles?—12·75*d.*

3501. Is it a just way of dealing with this matter to put in the actual, and then point out that

Mr. *Cripps*—continued.

that the new maximum might be so much per cent. beyond the actual charge?—I did it for this reason, that your witnesses represent that 75 per cent. of the total tonnage was in respect of traffic exchanged with the Bridgewater Navigation; and therefore I thought it a fair inference to draw as to whether you should want to cover actual charges four, five, or six times over.

3502. Therefore you thought upon that ground you were justified in putting together an actual charge against a new maximum?—Yes.

3503. Do I understand that you think the new maximum ought to cover all the actual charges now made?—I know that in our own case——

3504. Answer the question; do you think that the new maxima granted ought to cover all the actual charges made?—No, I do not; it is according to circumstances.

3505. I do not understand that you have given any rate or toll as between your system, the Calder and Hebble, and the Rochdale?—No, I have not.

3506. You made a statement about that that I did not follow. You suggested that the interchange of traffic had decreased in amount between the Rochdale and the Calder and Hebble, is it the fact?—Yes.

3507. Give the figures in which there has been any decrease in the amount of interchange between the Calder and Hebble and the Rochdale?—I find the total tonnage exchange altogether for 1886 was 75,409 tons.

3508. Give the next year to that, 1887?—70,469 tons.

3509. 1888?—66,954 tons.

3510. 1889?—58,430 tons.

3511. 1890?—61,649 tons.

3512. 1891?—59,472 tons.

3513. 1892?—51,699 tons.

3514. 1893?—I have not got those figures.

3515. When you were giving the illustration of the rate or toll between Halifax and Hull, for a large proportion of that distance below Goole, the traffic would be carried on a free navigation?—Yes.

3516. Therefore you could not compare it with the case of traffic which was carried the whole distance over a toll-paying canal, or toll-earning canal?—I gave it as an illustration, and said further, that as a rule, it was a fair average upon traffic.

3517. When you say you simply give it as an illustration, is it a fair illustration when a large portion of the distance between Halifax and Hull is over a tidal river between Goole and Hull, where there is no toll charged at all?—The rates are governed by railway competition; Liverpool and Hull have not much difference between them.

Mr. *Cripps*—continued.

3518. That is not what I ask; is it fair in considering the relation between toll and rate to take an instance from Halifax to Hull, in respect of a journey for a large portion of which no toll is charged at all, namely, from Goole onwards down to Hull?—I must leave the Committee to decide.

3519. What is the distance from Goole to Hull?—I think it is 32 or 33 miles.

3520. What is the distance from Goole to Halifax?—Fifty-two and a-half miles.

3521. Therefore, for more than one-third of the distance you have a free navigation?—Yes.

3522. You do not suggest under those circumstances that you can make a fair comparison, do you?—I will leave it to you to decide.

3523. You called attention to the difference between the maximum rates and the maximum tolls. Of course, that might show either that the tolls are too high, or that the rates are too low?—Yes.

3524. As regards the distinction between rates and tolls, what is shown in the Rochdale Canal Schedule is very similar to what you see in the Leeds and Liverpool and all those other Schedules, is it not?—Yes.

3525. The distinctions in the maxima in this case are very much as they are in other cases?—I have no objection to your having as much as desirable for the rates; the tolls is the main thing.

Re-examined by Mr. *Balfour Browne*

3526. With regard to the illustration about Halifax to Hull, perhaps it was not well chosen; but is it the fact that you have other illustrations which you could refer to which show that the proportion of toll to rate is about a third?—I have not illustrations in figures, but I give it as a matter of general everyday practice that that is the case.

3527. My learned friend has been trying to compare the old maxima with the present proposed maxima; could anybody have thought of charging 4*d.* per ton per mile for these things for 13¼ miles?—I should say not.

3528. If they had attempted to put into force this old Act, would the traffic have absolutely stopped?—No doubt.

3529. As to the suggestion that the maxima to be allowed should cover all the existing charges made, would that be at all true if the existing charges made are too high?—Certainly not.

3530. When they come forward and say, "Give us tolls to cover our existing charges," they ought to show that the existing charges are fair and reasonable first?—I think so.

MR. EDWARD JOHN LLOYD, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Carr.*

3531. YOU are a Member of the Institute of Civil Engineers?—Yes.

3532. And manager of the Warwick and Birmingham, the Knapton, and several other canals?—I am manager of three canals.

3533. You have had very considerable experience

Mr. *Carr*—continued.

perience in canal work?—I have been manager for two of those canals for 44 years, and I have been employed by a very considerable number of other canals in England and Ireland.

3534. Do you know all the circumstances of the Rochdale Canal?—I know the circumstances of the canal generally; I have been upon considerable sections of it for purposes of inspection, and so on.

3535. Have you considered the proposals of the Board of Trade with regard to the Rochdale Canal?—Yes, I have endeavoured to form a fair opinion as to the proposals of the Board of Trade.

3536. With regard to the bonus distances allowed under the Board of Trade proposal, do you regard them as a generous allowance?—I think very so, and especially if you take into account the fact that they have given them a mileage rate very much above the normal rate.

3537. The normal rate being ·50, you mean?—Yes.

3538. With regard to the proposed bonus-distances on the amendment which the Rochdale Canal have put in, what is the total additional distances which they would give to the canal length?—Fourteen and a quarter miles in a distance of 32 miles.

3539. I think a good deal of the traffic exchanged with the Calder and Hebble Canal is through traffic, and passes over the whole of the Rochdale Canal?—A very considerable percentage of it passes over the whole canal to the Bridgewater Canal.

3540. That 14¼ miles would be 44 per cent. of the whole length of the canal?—Yes, it is 44 per cent. addition.

3541. With regard to the traffic exchanged by the Calder and Hebble with the Rochdale Canal, a great proportion of that traffic, you say, is through traffic passing the whole length of the Rochdale system?—Yes.

3542. I take it that that traffic would be affected by this 14¼ miles addition?—Yes.

3543. With regard to the bonus distance proposal at the Sowerby Bridge end, the proposal there is double toll?—Double toll for a distance of 3 miles, or 3¼ miles.

3544. Do you know the Rochdale Canal at that end from personal inspection?—The larger portion of it; I do not think I have been along the whole distance.

3545. Have you seen anything in the works of the Rochdale Canal at that end which, in your opinion, institutes the demand for double mileage?—I think not. There is no doubt at all that the engineering character of the works is what Mr. Dykes described it. The canal embankment is supported by a retaining wall, very much as you see upon the railways in many places. To a large extent it is old work, work that was probably constructed at the time the canal was made, or soon afterwards.

3546. What, in your opinion, would be the effect of these additional charges on the traffic over the Rochdale Canal?—My belief is, that if the Rochdale Canal get these powers and enforce them, no traffic would be exchanged between the canals. A man could afford to cart over the road for less money.

Mr. *Carr*—continued.

3547. You have heard what Mr. Swindells has said in his evidence with regard to the proportion between toll and rate on these two systems?—Yes.

3548. Do you generally agree with what Mr. Swindells has said?—Mr. Dykes said yesterday that two-thirds of the carrying rate represented the toll. Take for the sake of argument, from South Staffordshire to the port of London. The low class traffic is carried for about 9*s.* per ton; the toll is 2*s.* 6*d.*; and on the highest class goods between South Staffordshire and London the toll charged is 6*s.*

3549. Take a proportion such as that given by Mr. Dykes yesterday, two-thirds toll out of the total rate, as against one-third for the carrying rate, what would the effect of that be upon the existence of the bye-trader on the canal?—It would kill them.

3550. And would throw the traffic into the hands of the carrying company?—The competitors whoever they might be, either the canal company or the railway.

3551. Have you anything more to add in addition to what you have said with regard to the proportion between toll and rate?—The low class of traffic bears a slightly higher proportion of toll. You get the low class of traffic, carried, we will say at 10*s.* a ton, and it pays 2*s.* 6*d.* rate. You get a high class of traffic that would pay probably double the amount, say 18*s.*, and it certainly will not pay more than about 4*s.* or 4*s.* 6*d.* rate, the difference between the two being due exactly to what was pointed out by Mr. Somerset, that in one instance it is merely station to station delivery, and in the other case you have the question of terminals entering into the rate.

Chairman.

3552. You do not agree with what has been said that the proportions are one-third and two-thirds?—There is some of it which would pay one-third, but a large proportion of it does not.

3553. Then it is incorrect as regards a large proportion of the traffic?—Yes; in canal traffic, where we carry hundreds of different articles, mostly of a very low class, you cannot fix a particular ratio.

3554. We were told that the proportions were one-third and two-thirds. You do not agree with that?—No.

Cross-examined by Mr. *Cripps.*

3555. What is the length of the three canals that you manage?—Forty miles.

3556. As regards the point you have now been raising, the proportion that the toll bears to the rate. You consider from your point of view that the difference between the maximum for toll and the maximum for rate should be such that it should be as two to one, or even a larger proportion?—Yes.

3557. That would be done in this case as in others, by raising the maximum schedule of rates?—Yes, but as long as the railway is within a quarter of a mile all the way you cannot do that.

3558. Let me ask you another question about that. You seem to think that the new maxima which

Mr. *Cripps*—continued.

which we are asking for would tend to the shutting up of this canal?—To a diminution of its trade.

3559. Do you know whether the maxima which we propose are very much lower than the existing maxima, and that the existing maxima has not led to the shutting up of the trade?—It is so upon every canal.

3560. Suppose we have maxima now much larger than the maxima we are asking for, but do not charge them; why should there be any difference in the future?—The question before the Committee is the question of power.

3561. That is not my question. If the canal company have existing maxima much greater than they are asking for, and if you say that even charging the Board of Trade maxima would be sufficient to shut up the canal, why has not that result happened when we have had higher maxima?—Because, I suppose, you have sought to retain the traffic.

3562. Should not we seek to retain the traffic if we had the charges we propose?—It is possible; you need not charge your maxima.

Mr. *Balfour Browne.*] I have now finished my case for the Calder and Hebble, and I will call a witness in support of the case of the Mining Association.

MR. GEORGE HENRY PEACE, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Balfour Browne.*

3563. ARE you assistant general manager of the Astley and Tinsley Collieries?—Yes.

3564. Your collieries are situated at Tinsley, near Manchester?—Yes.

3565. On the London and North Western?—Yes.

3566. You are a civil engineer yourself?—Yes.

3567. Are your company members of the South Lancashire and Cheshire Coal Association?—Yes.

3568. And you are appearing here to-day as a witness for the Mining Association of Great Britain?—Yes.

3569. Are your collieries connected by private railways with the Bridgewater Canal?—Yes.

3570. Does your coal pass along the Bridgewater Canal and over the Rochdale Canal?—A portion of it does.

3571. On the average, how many tons?—About 27,000 or 28,000 tons per annum.

3572. What is the average output of your collieries in a year?—Over 300,000 tons.

3573. Are you the owners of a large number of canal boats?—Yes, we have about 50 of our own, and we load about 30 traders' boats.

3574. Do you know what the present charges are upon the Rochdale Canal that are made to you?—Yes. In the first place I may say that the bulk of our traffic passes over the Rochdale Canal on to the Ashton Canal.

3575. Does the Ashton Canal belong to the Manchester, Sheffield and Lincolnshire Company?—Yes. As to the tolls, the quantity of our traffic passing over to the Ashton Canal is about 16,000 or 17,000 tons out of the 27,000 or 28,000, and the toll on that short length of 1¼ miles is 2½*d.* a ton, which is the maximum power the company possess.

3576. The Rochdale Canal are charging you for your coal going on to the Ashton Canal their maximum amount?—Yes, and we have other rates varying from that amount to 6*d.* a ton, in fact from 1½*d.* a ton up to 6*d.*

3577. Do you know whether in any instance they charge under their maximum so far as you are concerned?—Where the distance exceeds three miles they do.

Mr. *Balfour Browne*—continued.

3578. Where it is under three miles they charge up to the hilt?—Yes.

3579. First of all, do you know the proposals as to the tolls in the Bill?—Yes.

3580. Being ·75, ·60, ·50, and so on. Do you consider these tolls high?—We do.

3581. When on the back of these high tolls you find these bonus mileages, do you think they would be very seriously detrimental to your traffic?—Certainly.

3582. Do you think you could send any traffic paying those boous mileages?—It is very doubtful indeed if we could.

3583. Did you at one time send more traffic by the canal?—I do not think we have varied very much.

3584. I suppose it is principally the bonus mileage at the Manchester end that you are objecting to?—Certainly.

3585. Does your traffic pass over the Rochdale Canal to the Bridgewater?—It passes in the opposite direction, from the Bridgewater Canal to the Rochdale Canal, and then it enters on to the Ashton Canal.

3586. With regard to the Bridgewater Canal, it joins the Rochdale Canal in Manchester?—Yes.

3587. Have the Bridgewater Canal got any bonus mileage at that end of the canal?—No.

3588. This Committee has given them a bonus mileage at the Runcorn end; does that in any way affect your traffic?—It would if it were charged, but only to a small extent.

3589. Most of your traffic is passing over the Rochdale Canal on to the Ashton?—Yes.

3590. Neither the Ashton nor the Bridgewater have any bonus mileage?—No.

3591. And you think this bonus mileage would probably put an end to your traffic?—Yes.

Mr. *Young.*

3592. Is any of your coal delivered by rail?—Yes, about two-thirds of our output is delivered by rail.

3593. As cheaply as by the canal?—Practically the rates approximate very nearly, but the coal on the canal goes to those works situate

Mr. *Young*—continued.

on the canal side, and so we avoid the charge for cartage.

Mr. *Balfour Browne.*

3594. You say the charges are practically the same whether by railway or canal?—Yes.

3595. Do you get no benefit by the waterway in the rate of charge?—No, it is more a matter of convenience.

3596. Could you send more by canal if there was a lower toll by canal than by railway?—Yes.

3597. Out of your 300,000 tons of out-put, how much do you think you could send by canal if there was a reduction in the rate of charge on the canal?—There is no reason why we should not send fully one-half.

Cross-examined by Mr. *Cripps.*

3598. You really are now in the happy position of having a competitive rate the same whether by canal or by railway?—No, not exactly, for this reason, if we send by rail we have to cart, whereas, if we send by boat, we send direct to the works.

3599. You have to cart in one case, and not in the other. When you send by canal you have not got to cart?—Yes.

Mr. *Cripps*—continued.

3600. Do you get a difference in the rate owing to your having to cart in the one case and not in the other to the same point?—Not because we have to cart; it is merely a question of comparative distance by the rail. Some works we cannot get at by cart, and the coal has to go by canal.

Re-examined by Mr. *Balfour Browne.*

3601. If the canal rates were raised it is possible the railway rates might go up?—In addition to that the traffic would flow in other directions—it would come from other canals. There are collieries on the Ashton Canal. If we had three tolls to pay and they had only one it would enable them to come into competition with us.

3602. You do n t get much from competition because you are charged the maximum rate by this Rochdale Canal?—Yes.

Mr. *Balfour Browne.*] That will be my case for the Calder and Hebble and for the Mining Association.

Mr. *Waghorn.*] I will not make any preliminary observation, but will call Mr. Willson.

MR. JOHN CHARLES WILLSON, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Waghorn.*

3603. You are Assistant Manager of the Manchester Ship Canal Company, are you not?—Yes.

3604. You have held that post, I believe, since the 1st December 1893, have you not?—I have.

3605. Previously to that you were connected with the Bridgewater Navigation, were you not?—For 40 years.

3606. And you are well acquainted with the working of the traffic on the Rochdale Canal between Castlefield Lock and Brownsfield?—Yes, I am, as far as Rochdale, the whole length of the canal.

3607. Are there a large number of premises upon that portion of the canal?—A very large number between the junction with the Bridgewater Canal and Failsworth; the extent that the Rochdale Company are asking for their bonus mileage on.

3608. What is the traffic chiefly?—Principally timber on the consignees' own premises; but the Bridgewater Undertakings of the Ship Canal have two large warehouses and yards on the same length of canal, where they also store cotton and general goods.

3609. Where are those warehouses situated?—(*The Witness points them out on the plan.*)

3610. Have you explained to the Committee where their warehouses are situated?—Yes, where the Bridgewater warehouses are situated.

3611. Some little way along the Rochdale Canal?—Just one mile.

3612. What is the necessity for having your warehouses situated there?——

Mr. *Cripps.*] The Bridgewater are not in opposition; so far from that, Mr. Collier, before the Board of Trade, said that he was in favour of our proposal.

Mr. *Waghorn.*] The Lancashire and Cheshire Conference are here.

Mr. *Cripps.*] He is explaining the Bridgewater case.

Mr. *Waghorn.*] He is explaining the warehouses belonging to the Bridgewater Canal Company.

Witness.] I appear more as a witness in favour of the traders of Lancashire, who are associated with the Lancashire and Cheshire Conference.

Chairman.

3613. You are not here for the Bridgewater Canal?—No, only in so far as I may be questioned.

Mr. *Waghorn.*

3614. Where are the distributing centres for cotton?—The other distributing centres for cotton belonging to the Bridgewater Company are at Water-street; the Castlefield warehouses, also indicated on the map which I have just submitted to the Committee.

3615. Is there much cotton sent to spinners at Oldham?—A very large quantity of cotton is consumed by spinners at Oldham, passing at present over the Bridgewater Canal, but which we are anticipating will very largely by-and-bye pass over the Manchester Ship Canal and be distributed by barges from alongside ships or quays if not taken direct by spinners to the town warehouses

Mr. *Waghorn*—continued.

houses for storage and convenience of removal, and to the Bridgewater premises on the Rochdale Canal at Chorlton-street, cotton will be barged from the Ship Canal Docks to the warehouses for storage, to be ultimately removed either by the spinners' carts or by barges to other parts, say upon the Ashton Canal, for mills at Ashton and Staleybridge.

3616. The traffic comes in many instances to the warehouses, and then it goes from there to Oldham and other places?—It does.

3617. How does it go from your Minshull-street premises to Oldham and Staleybridge?——

Mr. *Cripps.*] What has this to do with the case?

Mr. *Waghorn.*

3618. This witness is going to inform the Committee the difficulties the traders have, owing to the tolls charged by the Rochdale Canal Company. We have a large quantity of cotton traffic now brought over the Rochdale Canal, and warehoused in warehouses on the Rochdale Canal, belonging to the Bridgewater Canal Company; I ask the witness how that traffic goes from these premises to Oldham, Stalybridge, and such places; does it go mainly by canal?—Take cotton, that may be lying at the Chorlton-street or Minshull-street warehouses, at the order of a spinner at Ashton or other places upon the Ashton Canal. At present the tolls payable upon such traffic are, from Castlefield to Chorlton-street, these. I should state, first, that traffic coming from the Manchester Docks would be conveyed in barges, the average weight of which is 45 tons a barge; the tolls payable upon a barge-load of cotton passing over the Rochdale Canal from Castlefield to Chorlton-street, 45 tons at 4*d.*, the rate they at present charge is 20*s.* from Chorlton-street to the Ashton Canal. I have heard it stated that cotton or traffic for the Ashton Canal must be transhipped out of broad boats, which cannot travel upon the Ashton Canal; and the Chorlton-street and Minshull-street warehouses are favourite spots for such transhipment. It would take three narrow boats to convey to the destination from those warehouses one barge-load of cotton brought from the docks, and the toll upon the three narrow boats taking the 45 tons would be at a penny per ton, which is still their maxima, 3*s.* 9*d.* The light dues on the boats returned at 15 tons one penny per ton is still their maxima, a further 3*s.* 9*d.*, making 7*s.* 6*d.*, or a total of 27*s.* 6*d.* as the toll at present chargeable by the Rochdale Canal Company upon 45 tons of cotton conveyed from the docks to Minshull-street and sent forward by water to Ashton or Stalybridge.

Chairman.

3619. That is what they charge now?—Yes.

3620. That is actually charged now?—Yes.

Mr. *Waghorn.*

3621. What would your proposals work out at?—Our proposals would work out at from Castlefield to the Chorlton-street warehouse, five miles at 1¼*d.* per ton per mile, 23*s.* 5*d.*

Chairman.

3622. That is the actual charge now made?—I think this is the proposal of the Rochdale Canal Company, five miles (from Castlefield to Chorlton-street, the distance is only one mile) at 1¼*d.* per ton per mile, the figure proposed by the Board of Trade, much less than the Rochdale Canal Company's proposal; it works out at 23*s.* 5*d.*

Mr. *Waghorn.*

3623. Then there is a charge for the boat on returning?—Three shillings and ninepence.

3624. That is 27*s.* 2*d.*?—Yes.

3625. Then it would have after that to be conveyed from Chorlton-street to the Ashton Canal?—Yes.

3626. What are the charges there?—According to the evidence given by Mr. Dykes yesterday, he would apply the same bonus mileage of five miles though the distance is only a quarter of a mile; five miles at 1·25*d.* per ton per mile comes to 23*s.* 5*d.* I was going to explain how the 23*s.* 5*d.* is made up. That 45 tons of cotton is taken forward in three narrow boats. I put down two narrow boats, 30 tons at 6¼*d.*, 15*s.* 7½*d.*; one narrow boat, 15 tons at 6¼*d.*, 7*s.* 9½*d.* I have treated two narrow boats as one broad boat; light dues, 3*s.* 9*d.* for two boats, one narrow boat 3*s.* 9*d.*, again making 7*s.* 6*d.*, or a total of 58*s.* 1*d.*, which the Rochdale Canal Company, if their proposal is taken on the Board of Trade figures, would get as toll out of that 45 tons for passing along their canal from Castlefield to the junction with the Ashton Canal as against their present charge of 27*s.* 6*d.*

Chairman.

3627. Is that what the Board of Trade propose?—The figures are, but the bonus mileage is that proposed by the Rochdale Canal Company.

Mr. *Spicer.*

3628. Now, what would it amount to by the Board of Trade proposals?—That I cannot give you. I should like to complete the statement by an explanation.

Chairman.

3929. You first gave the Committee the actual charge that is charged now from one point to another?—Yes.

3630. Can you tell the Committee what, under the Board of Trade proposals, it would be?—The Board of Trade proposal with the bonus mileage; the Rochdale Canal proposal, which is greater than the Board of Trade, would give 8*s.* 1*d.* or an increase of 30*s.* 7*d.* to the Rochdale Canal Company upon that 45 tons, which works out at 8·15*d.* per ton increase upon the present cost.

Mr. *Waghorn.*

3631. You have worked out another illustration, though I will not go through it in detail, for timber going in the same manner?—Yes.

3632. The present charge would be how much?—The present charge would be 27*s.* 6*d.* for a barge of 45 tons of timber dealt with in the same way as the cotton. Under the Rochdale Canal

Mr. *Waghorn*—continued.

Company's proposals with the Board of Trade figure for toll they would get 49*s.* 3*d.*, or an increase of 21*s.* 9*d.* upon their present receipts from that barge of timber, leaving 5·71*d.* per ton increase upon their present charge.

3633. Now give one or two illustrations of short-distance traffic, if you have them with you: you have an illustration, I think, of traffic going from between Castlefield and Sothern and Wheeldon's yard?—Yes.

3634. The distance is under a quarter of a mile?—Yes.

3635. And the present charge on 45 tons would be 1*d.* a ton, 3*s.* 9*d.*, light dues 15 tons at 1*d.*, 1*s.* 3*d.*?—Yes 1*s.* 3*d.*

3636. Total 5*s.*?—Yes.

3637. Light dues on 15 tons at 1*d.* is the maximum amount they can charge according to their present Act?—That is so.

3638. What would their proposal work out at in that instance as compared with 5*s.*?—Five miles at a 1*d.* per mile on timber upon 45 tons produces 18*s.* 9*d.*; light dues 3*s.*, total 21*s.* 9*d.*, or an increase of 16*s.* 9*d.* upon a boatload, or 4½*d.* per ton.

3639. I will not trouble you for details in many of these other cases; but supposing it went between Castlefield and the Junction Canal, that is a distance of half-a-mile, the present toll is how much?—Ten shillings.

3640. And the proposal would amount to what?—Twenty-one shillings and ninepence; the increase is 11*s.* 9*d.* for 45 tons, or 3·13*d.* per ton.

3641. Now the distance from the Bridgewater Timber Yard at Gloucester-street is three-quarters of a mile; the present charge would come to how much?—Fifteen shillings.

3642. And the proposal would come to what?—Twenty-one shillings and ninepence, an increase of 6*s.* 9*d.* for 45 tons, or an increase per ton of 1·80*d.*

3643. Would these increases be a serious matter upon traffic coming from the Manchester Docks?—We take it so, most certainly. We should consider these charges very vexatious and very injurious to the Ship Canal traffic. On the other hand, I remember when I was with the Bridgewater, we always felt these charges were very heavy upon our Manchester traffic; but since I have been with the Ship Canal we find them doubly so.

Chairman.

3644. We are not dealing with the Ship Canal?—It is in the interests of the traders.

Mr. *Waghorn.*

3645. Do you anticipate that there will be much increase in traffic owing to the opening of the docks in Manchester?—Certainly we do.

3646. Of local traffic?—Yes; we have now arrived at a stage when I hope a great development will take place in the traffic upon the Ship Canal, particularly with timber, which is the article mostly dealt with over this section of the Rochdale Canal.

3647. You heard it stated that the locks in Manchester are incapable of passing greater traffic than now passes over them; have you anything to say upon that point?—I must refer again to the Bridgewater to say that while the Rochdale Canal Company state that they cannot pass any more traffic down that section of the canal than they do at the present time, the Bridgewater passed down over their two flights of locks at the Runcorn end of the canal over 600,000 tons in the year. I believe the Rochdale Canal Company gave it in evidence that the weight of traffic that used that portion of the navigation is between the Ashton Canal and the Castlefield Junction, about 75 or 72 per cent. of their total weight.

Mr. *Waghorn*—continued.

Sir *William Houldsworth.*

3648. Seventy-five per cent. of 600,000 tons?—Yes.

Mr. *Waghorn.*

3649. You think they could at least pass a quarter more?—Yes.

3650. You had some experience when you were with the Bridgewater Canal of carrying traffic?—Yes, I had.

3651. Do you agree with the statement of Mr. Swindells and Mr. Royds that about one third of the rate is attributable to toll?—I think it is a very fair proportion to allocate.

Chairman.] Mr. Royds differed from that.

Mr. *Waghorn.*] He made the toll a little less.

Chairman.] He did not agree with the one-third and two thirds.

Mr. *Waghorn.*

3652. What is your opinion as to a fair proportion of toll to rate?—I can only give it from one or two instances that occur to my mind with regard to conveyance rates on traffic between Liverpool and Manchester. Take grain, which is 6*s.* 2*d.* per ton, station to station; the Bridgewater Canal toll on that to the trader is 2*s.* per ton, which is practically one-third of 6*s.* 2*d.* Manufactured cotton goods from Manchester to Liverpool——

Mr. *Cripps.*] Are we to go into these figures?

Chairman.] I do not think so.

Mr. *Waghorn.*] The evidence of the witness is that the toll is proportioned one-third to two-thirds.

Chairman.] He agrees with some witnesses and disagrees with others.

Sir *William Houldsworth.*

3653. What other traffic besides cotton and timber is either passing along this portion of the canal, or that you anticipate will probably pass along from the Ship Canal to the Bridgewater Canal?—At the present time the Bridgewater Company themselves convey miscellaneous traffic over that portion of the canal from Castlefield to their warehouses at Chorlton-street and Minshull-street.

3654. Do you believe that if there were fair rates along here there would be an addition to the other things besides cotton and timber?—I believe so. As you are aware, we have not provided warehouse accommodation at the docks.

At

Sir *William Houldsworth*—continued.

At present we are not in a position to do so; therefore accommodation must be found somewhere, and I give it to you for what it is worth; but it is my view that there will in years to come, and in a very few years too, be large warehouses studding the banks of all the waterways that can approach the docks within a resonable distance of the docks.

3655. Do you include in that the Rochdale Canal?—Yes; and it is a very serious matter for the dock authorities, and would be so if the Committee give what the Rochdale Company ask for.

Cross-examined by Mr. *Cripps.*

3656. You are assistant manager of the Manchester Ship Canal?—Yes.

3657. Neither the Manchester Ship Canal nor the Bridgewater who are interested in this matter oppose?—We are interested deeply.

3658. As you do not oppose. All these questions are questions affecting the Bridgewater and affecting the Manchester Ship Canal, and neither of the companies oppose here?—The Ship Canal Company are not opposing individually, and the Bridgewater are not.

Chairman.

3659. Are the Manchester Ship Canal Company or the Bridgewater Navigation opposing this Bill?—I have to take Mr. Cripps back to the 26th day of the evidence before the Board of Trade.

3660. What I want to know is, are the Manchester Ship Canal opposing?—Excepting on behalf of the traders.

3661. Is the Manchester Ship Canal opposing?—We have no *locus standi* to oppose.

3662. Then you are or not opposing?—The Ship Canal are not.

3662*. If you have no *locus standi* we have nothing to hear about it; but is the Bridgewater Navigation opposing?——

Mr. *Balfour Browne.*] It does not exist as a separate company; it is the Ship Canal.

Chairman.

3663. As the Bridgewater is the Ship Canal, and the Ship Canal has no *locus standi*, the Bridgewater cannot oppose?—Not individually.

3664. How do you mean individually; either they oppose or they do not oppose?—I must take you back to the history in connection with it.

Mr. *Cripps.*

3665. Has anybody ever advised you that the Bridgewater Canal could not be here in opposition if their interests were affected?—If you ask my own private opinion——

3666. No, not upon a question of *locus standi.* Has anybody suggested that the Bridgewater Canal could not have come and have brought every question that they wished forward, if they had been advised to do it?—Mr. Cripps, you know the relations between the Rochdale and the Bridgewater.

3667. I know nothing of it; what is it?—With regard to tolls.

Chairman.

3668. Is there anything to prevent the Manchester Ship Canal, and with it the Bridgewater Canal opposing here, if they thought fit to do so?—As they are not here I will simply say, No.

Mr. *Balfour Browne.*] But, your Grace, this witness says there is some arrangement between the Bridgewater and the Rochdale. I have no right to ask him any questions, but I should suggest, perhaps, that that might throw some light upon the reason why the Bridgewater is not opposing.

Chairman.] The Bridgewater is part of the Manchester Ship Canal.

Mr. *Balfour Browne.*] There is some arrangement, this witness says.

Chairman.] The best arrangement is that they have no *locus standi.*

Mr. *Balfour Browne.*] They have a *locus standi.*

Chairman.] The witness says not.

Mr. *Cripps.*

3669. I suggest that the Bridgewater are not opposing, and never have opposed, for the reason that they think this bonus is a right one, just as they asked for a bonus in their own case at Runcorn?—I should have something to say upon that, but I am prevented by my not being allowed to refer to the evidence.

Chairman.

3670. Refer to the evidence if you desire to do so if it is in connection with your answer?—I am obliged to make a quotation from the evidence on the 26th day, before Mr. Pelham, in connection with the Inquiry into the Rochdale Canal Schedule. Mr. Cripps, in addressing the tribunal, stated, "So far as the Bridgewater are concerned I am instructed that they are in favour of the proposal; they recognise, in fact, the fairness and justice of it. I do not know whether the Bridgewater are represented here." Mr. Collier, who was present, said "Yes." Mr. Cripps then said, "They are; and though I am instructed that the Bridgewater recognise the justice and fairness of our proposal as regards the bonus mileage at the Manchester end of the canal——." Mr. Collier says, "and only so far. (Mr. *Cripps.*) Only so far? (Mr. *Collier.*) Yes. (Mr. *Cripps.*) I am very much obliged to Mr. Collier for making that statement; but I need not labour that at the present time." Further on Mr. Cripps goes on to say, "We ask for a further bonus up to Failsworth, leaving out the first little bit of a mile and a-half of double distance. Of course we think that double distance is just, but it is for you to say whether you think it is just or not. (The *Commissioner.*) How many miles does that go? (Mr. *Cripps.*) We ask that three and a-half miles should be doubled; therefore that would give an additional three and a-half miles. As regards the summit we ask for a five miles bonus, the actual distance being three-quarters of a mile. (The *Commissioner.*) That is a four and a-quarter miles bonus. (Mr. *Cripps.*) Yes, perhaps Mr. Collier would tell us this, because the Bridgewater, no doubt, are very much interested

Chairman—continued.

in the exchange of traffic with the Rochdale Canal. I understand that the Bridgewater raise no question upon the bonus as regards the summit. (Mr. *Collier.*) Yes, we object to all the bonuses, except the three and a-half miles, which is to be added to the first one and a-half miles, and we only propose to agree to that, subject to a difference in Table A. and in the rate for light boats."

Mr. *Cripps.*] Now, having read that, can you give any reason to this Committee why the Bridgewater are not here opposing this proposal, except that they assent and agree to it.

Mr. *Waghorn.*] I will put the manager of the Bridgewater Canal in the box.

Mr. *Cripps.*] No, Mr. Waghorn, deal with one gentleman at a time. The Bridgewater is part of the Manchester Ship Canal.

The *Witness.*] I have not quite completed my reference. Upon the 24th November, the following day, Mr. Collier who was then giving evidence says: "Now, the Manchester Ship Canal Company's interest in the traffic is greatest of all at the present time probably in the traffic which they themselves convey over the Rochdale Canal between Manchester and Rochdale, but for the future their interest in that respect will no doubt be over-shadowed by the desire and the necessity which they will have for a means of forwarding imported traffic, or of collecting exported traffic, on its way from or to the Manchester and Salford Docks. It is therefore very necessary, indeed it is an element almost unavoidable if traffic by water is to be brought to and from those docks, that this Rochdale Canal should be as free from either physical or commercial incumbrances as it can be made. It may seem in the face of that to be rather a strange admission on the part of my company that we should concur in so much as a 3½ miles bonus mileage incidental upon the first 1½ miles of the canal. I may confess that had we to review the circumstances afresh we should be indisposed to go to the length we have."

Chairman.] It comes to this, really, and you must leave it there, that if they had not be satisfied they would have appeared.

Mr. *Cripps.*

3671. When were you first asked to give evidence here?—Very hurriedly, yesterday morning.

Re-examined by Mr. *Waghorn.*

3672. You were asked to give evidence by the Lancashire and Cheshire Conference?—Yes.

3673. And you are not here in the interest of the Bridgewater Canal at all at the present moment?—That is so, I am not.

The Witness is directed to withdraw.

Mr. FREDERICK MORTON, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Waghorn.*

3674. You are Managing Director of a large firm of canal carriers?—I am.

3675. How long have your firm been carrying traffic in the neighbourhood of Manchester?—My firm have been carrying traffic for upwards of 50 years.

3676. You have experience of the traffic in this neighbourhood?—Yes.

3677. And of the tolls and other circumstances which would facilitate or prohibit the carriage of traffic upon the canal?—Yes.

3678. Do you concur with the witness for the Rochdale Canal Company that the Rochdale Canal is an expensive canal to work over?—I do.

3679. What conclusion as to the quantum of tolls do you draw from that?—The conclusion I draw is that being more expensive than other canals in the neighbourhood, the tolls instead of bearing a larger proportion to the rates, should bear a smaller proportion, inasmuch as the expenses of working are considerably enhanced, and the rate which we are able to obtain is of course governed by the competition whether by road or by rail.

3680. At about what distance would that question of completion come in?—It comes in in every direction and at all distances, the competition by rail in the long distance and the competition by road in the short distance.

3681. You have given some attention to the

Mr. *Waghorn*—continued.

question of the quantity of water which comes down from the Ashton Canal when traffic is interchanged between the Ashton Canal and the Rochdale Canal?—I have. I have personally measured the capacity of the largest lock on the Ashton Canal, being the tenth lock, and also the largest lock on the Rochdale, being the Tunnel Lock.

3682. What do you say are the capacities of those two locks?—I say the capacity of the Ashton Canal Lock is 52,800 gallons, and the capacity of the Rochdale Canal Lock is 62,800 gallons, or about that.

3683. Will you give the dimensions upon which you base that calculation?—The length of the Ashton Canal Lock is 81 ft., and I should like to state to the Committee that these figures differ from those contained in the Board of Trade Returns of 1888, inasmuch as I take it those figures are put in for the purpose of navigation only, showing what sized boat could pass through each lock. These figures that I am giving are the actual dimensions of the lock which would contain water. The length of the Ashton Canal Lock is 81 ft., and the average of six measurements in width 8 ft. 3 in. and the depth 12 ft. 8 in., giving a cubical capacity of 8,464 ft., which, multiplied by 6·24, gives 52,815 gallons, and the figures would be similar for the Rochdale Tunnel Lock.

3684. You

Chairman.

3684. You measured that in the same way?—Yes.

Mr. *Waghorn.*

3685. And that came to 62,800 gallons?—Yes.

3686. So when a narrow boat comes down from the Ashton Canal and passes on to the Rochdale Canal, if it goes singly, the Rochdale Company would lose 10,000 gallons of water?—Yes.

3687. But if two single boats came down the Ashton Canal and they went together; they could go together?—Yes.

3688. If they went together on the Rochdale Canal the Rochdale Canal would get 30,000 gallons of water with those two boats?—Yes.

3689. Have you ascertained in what manner the traffic actually does pass the Ashton Canal to the Rochdale Canal?—I have taken the greatest pains to do that, and I have had the total number of boats passing on to and off the Rochdale Canal, on to and off the Ashton Canal, taken for a period of four days, the dates being June 5th, 6th, 7th, and 8th, this year. I took those dates as nearly as possible to this Inquiry, so that it should not be said that I had selected any particular time for it, and I found this result, that of the 88 boats that passed on or off the Ashton Canal, only 19 passed singly, the others passing in pairs, and it will be noticed that there is an odd figure there, that is accounted for by three of those boats not passing actually in pairs from the Ashton Canal, but pairing with three other boats that came down the Rochdale Canal proper. The effect of that was to leave a balance of water in favour of the Rochdale Canal of 1,250,000 gallons.

3690. Will you give the details· You say 88 boats brought how many gallons of water with them?—The figures are these, 88 boats brought 4,566,000 gallons, and they require for their passage up or down the Rochdale Canal 3,317,000 gallons.

Chairman.] I do not think you need give all these details.

Witness.] In order that there should be no question about these figures I made a proposal myself to Mr. Dykes early in April that he should send someone to check the figures with me, and he declined my proposal.

Mr. *Waghorn.*

3691. Have you any reason to think that that is an exceptional state of circumstances?—None whatever.

3692. In your judgment it represents the ordinary passage of traffic from one Canal to the other?—I believe it does.

3693. A word upon the question of the proportion of toll to freight. You have had much experience in that?—Thirty-five years.

3694. Let me call your attention to the rate which is proposed to be charged by the Rochdale Canal Company in such traffic; 1¾*d.* a ton a mile is the rate including freight charges?—Yes.

3695. The Rochdale Company propose, if you attempt to carry, to charge you the toll of 1·30*d.* per ton per mile?—Yes.

Mr. *Waghorn*—continued.

3696. Leaving you something less than a halfpenny for your charges for man, and boat, and horse haulage, and profit, and everything connected with it?—I think it is 1·20*d.* not 1·30*d.*; 1·30*d.* is in timber.

3697. They propose to charge a toll upon grain of 1·20*d.*, and on timber 1·30*d.*?—Yes.

3698. If you had to carry at the Rochdale Canal rate that would leave you just a little under or a little over a halfpenny a ton per mile respectively?—Yes.

3699. Could you do the haulage at that figure, or anything approaching it?—No.

Mr. *Moon.*] What is my learned friend driving at? He seems to be going into the question of toll.

Mr. *Waghorn.*] Yes.

Mr. *Moon.*] That is apart altogether from the question of bonus mileage.

Mr. *Waghorn.*] Every witness has been asked this question.

Chairman.] I think you must adhere to the question of bonus mileage; that is what we are upon.

Mr. *Waghorn.*] But 20 witnesses have all been asked this question, and they have all answered it.

Mr. *Moon.*] My learned friend is presuming that we are asking a toll of 1·20*d.* for our bonus mileage. We are only asking the Board of Trade toll, which is a penny. We get into such confusion if we do not keep the things separate.

Chairman.] You must confine yourself to the question of bonus mileage.

Mr. *Waghorn.*

3700. I will not pursue the question. (To the *Witness.*) Have you seen Table F. put in by the Rochdale Canal Company?—Yes.

3701. As regards the actual revenue from traffic passing for a distance of a mile and a-quarter or less on their canal, do the figures on that Table appear to you to be their maximum tolls?—They do.

3702. Has there been any instance that you are aware of since you have been carrying traffic on that canal, where they have charged you less than their maximum for any short-distance traffic?—None whatever.

Chairman.] I think that is all admitted; it is admitted that on the first three articles they charge their maximum.

Mr. *Waghorn.*

3703. Now I want the other two. There is a large quantity of traffic going a distance of a mile and a-quarter?—Yes.

3704. That mile and a-quarter forms a bar, as it were, between Manchester and other canal companies?—That is the practical effect, or would be so if the Rochdale Canal got this increased bonus.

3705. So far as that mile and a-quarter is concerned, have the Rochdale Canal Company ever charged less than their maximum?—Never.

Cross-examined by Mr. *Moon.*

3706. I do not know whether you are accustomed to testing the cubical capacity of locks?—I think I am capable of so doing.

3707. Have you ever done it before?—I have not tested the cubical capacity of a lock, but I have tested the cubical capacity of other receptacles.

3708. I have in my hand an official Table published by the Manchester, Sheffield, and Lincolnshire Company, who own the Ashton Canal, put in before this Committee and proved, and I find by that that the cubical capacity of lock No. 10 is 48,000 odd gallons; have you looked at that Table?—No, I have never seen it.

3709. That is the capacity of the lock as published by the Manchester, Sheffield, and Lincolnshire Company, and as proved by them. Do you not think that the Manchester, Sheffield, and Lincolnshire are more likely to know the capacity of their own lock than Mr. Morton?—I can tell you with regard to that that before I measured this lock I saw the manager of the Ashton Canal and asked him the question whether he had got the capacity, and he told me he had not.

3710. He seems to have got it since?—Possibly.

3711. Would not the Rochdale Canal people know better the cubical capacity of their own lock than you?—I made a proposal to Mr. Dykes offering to take the thing in duplicate, so that there should be no question about it.

3712. As to the question of single boats, you took your observations on the 5th, 6th, 7th and 8th of June?—Yes.

3713. On the 1st of June Her Majesty was at Manchester, and therefore the Bridgewater Canal was stopped?—I never mentioned the 1st June.

3714. The effect of the Bridgewater Canal being stopped would be to accumulate boats which would naturally go through two at a time when they were there?—I do not think there was any accumulation—I am told Her Majesty was there on the 21st of May.

3715. Then I withdraw that. Which do you think is most likely to be the correct record—the record taken for five months from the 1st January to the end of May day and night, or your own record which you took for four days?—I do not know the circumstances under which the other observations were taken. I know all the circumstances under which my observations men taken.

3716. How many men did you put on?—One.

3717. Was he there day and night?—No, he was there from 8.45 a.m. to 2.45 p.m. on the 5th, and he was there on the same day from 4.45 p.m, to 8 p.m. Then on the 6th he was there from 8 a.m. to 6.30 p.m.; on the 7th he was there from 8 a.m. to 7 p.m.; and on the 8th he was there from 8.30 a.m. to 7 p.m. I do not know that there is any likelihood of there being a difference in practice during the hours he was not there as compared with the hours he was there.

3718. He was not there during the night?—No.

3719. I am told that most of the traffic goes in the night?—You are misinformed.

Mr. *Moon*—continued.

3720. Does not a large part of the traffic go through in the night?—No.

3721. A large part of the coal traffic, I am instructed, goes through in the night?—If you refer to coal traffic, I am sure it would be against you, because the coal traffic almost invariably passes in two boats at a time.

3722. The proposals of the Rochdale Canal before the Board of Trade were considerably in advance of their proposition now; they asked for this five mile bonus and considerably more?—I do not know.

Mr. *Waghorn.*] They were the same.

Mr. *Moon.*

3723. I take it from your counsel they were the same. Let me call your attention to this: I have a letter dated the 28th November 1893, addressed to Mr. Dykes, and signed Frederick Morton, and this is what it says: "I was very pleased to see that you were sufficiently recovered from your illness to work your Schedule through the Inquiry before the Board of Trade. You see we did not oppose you after all, as we rely on your dealing fairly with us. I expect to be in Manchester again in the morning, and shall probably call in soon after 10 o'clock at your office to see you about a large order for bricks going from this district to Miles Platting; I have to give a definite rate to-morrow, but should like to see you first." At that time you were quite content not to oppose the proposals of the Rochdale Canal Company, because you relied on the Rochdale Canal Company dealing fairly with you?—I wrote that letter to Mr. Dykes.

3724. At that time you relied on the Rochdale Canal Company dealing fairly with you?—I had not so much experience then of the Rochdale Canal Company as I have since. I am bound to say I was a victim of misplaced confidence.

3725. In that particular case the rate quoted you for these bricks was very much below what the full rate might have been by Miles Platting?—I do not remember what the rate was that was quoted.

3726. What is the traffic that you mainly carry?—It is traffic of a miscellaneous character; everything from Class B. up to the third class.

3727. Where do you carry to; up the Rochdale Canal or on to the Ashton Canal?—Principally on the Ashton Canal; only on a short distance of the Rochdale Canal between Castlefield and Ducie-street, the junction with the Ashton.

3728. Principally not upon the Rochdale Canal, but upon the Ashton Canal?—I cannot get on to the Ashton Canal without going over the Rochdale Canal.

3729. Your trade is principally upon the Ashton Canal?—Yes, on which Mr. Dykes finds no water.

Re-examined by Mr. *Waghorn.*

3730. It is that traffic you particularly wish to develop, is it not?—Yes.

3731. It is that 1¼ miles that your traffic passes over of which you have been speaking?—Yes.

Mr.

Mr. WILLIAM H. COLLIER, called again.

Mr. *Waghorn.*] It seems to be suggested by Mr. Cripps that the Bridgewater Canal are perfectly satisfied with this Schedule.

Chairman.] I think this is irregular. The Bridgewater Canal are not now before us. If they were dissatisfied it is reasonable to suppose that they would have been here.

Mr. *Balfour Browne.*] I think Mr. Collier is going to explain why they are not here.

Mr. *Moon.*] I presume the Committee will not allow any number of people to come up and say why they were not here.

Chairman.] We will take it for granted that Mr. Collier is not here.

Mr. *Waghorn.*] He is here as a witness for the Lancashire and Cheshire Conference.

Chairman.] If he is here as a witness for the Lancashire and Cheshire Conference, he cannot come here on behalf of the Bridgewater Canal.

Mr. *Waghorn.*] No.

Chairman.] If he is not here for the Bridgewater Canal there is nothing for him to tell us. The fact is the Bridgewater Canal are not here, and we must take it for granted they are satisfied.

Mr. *Waghorn.*] I will not ask Mr. Collier the question I was going to ask him; I will ask him to give his experience as an expert.

Chairman.] Mr. Collier is called to prove what?

Mr. *Waghorn.*] I want to put a question about the capacity of the locks on the Rochdale Canal, and to ask him another short question.

Chairman.] You may ask him that.

Mr. *Waghorn.*

3732. (To the *Witness.*) Will you tell us what, in your view, is about the capacity of the locks on the Rochdale Canal as far as regards increased traffic, should it arise? — The capacity of the Rochdale locks I know from experience to be such as to pass a much larger quantity of traffic than now goes. I have known the locks closed on alternate days without materially interfering with the quantity of traffic passing. That clearly shows that they could take much more traffic.

3733. What effect would this bonus mileage of five miles have upon the terminal traffic at Manchester? ——

Mr. *Moon.*] I object. My learned friend is trying indirectly to get Mr. Collier to give evidence which he is not entitled to do as representing the Bridgewater Canal; Mr. Collier represents the Bridgewater Canal.

Witness.] I was quoted as allowing something I did not allow, and I should be sorry that the Committee should be misled merely because of a matter of form.

Mr. *Moon.*] By whom was Mr. Collier quoted? By my learned friend's own witness. My learned friend referred to what Mr. Collier said, and quoted Mr. Collier, and now my learned friend is calling Mr. Collier for the purpose of saying that his former witness did not quote him correctly.

Chairman.] I think we cannot admit it.

Ordered,—That this Committee be adjourned to Tuesday next, at Half-past Eleven o'clock.

Die Martis, 3° Julii, 1894.

PRESENT.

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Mr. Spicer.
Lord Herries.	Mr. Samuel Young.
Lord Hawkesbury.	

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(Canals of the Great Northern and certain other Railway Companies.)

Mr. *Pelham.*] May I mention that there was a clause postponed among the special clauses relating to the Great Northern Canals? It was an amendment moved, I think, on behalf of the River Trent. It was with reference to a toll of 1*s.* or 3*s.* for going through the Beeston Cut. I thought the Board of Trade would be able to make an arrangement with the Great Northern Company and the River Trent about this matter. I regret to say that it has not been agreed, and I will ask your Grace to say, when the River Trent has been finished to-day, that you will hear the case.

Mr. *Balfour Browne.*] Very likely it will arise upon the River Trent and be discussed then. The Great Northern Company would be prepared to meet the views both of the traders and of the Board of Trade, if the River Trent Commissioners were willing to do so too; but it will be discussed then. We have not overlooked it.

Ordered,—That this Committee be adjourned to To-morrow at Half-past Eleven.

Die Martis, 3° Julii, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	Mr. SPICER.
Lord HERRIES.	Mr. SAMUEL YOUNG.
Lord HAWKESBURY.	

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(BRIDGEWATER, &c., CANALS).

ROCHDALE CANAL.

Mr. *Waghorn.*] ON behalf of my clients, the Lancashire and Cheshire Conference and Messrs. Fellows, Morton and Clayton, I have to submit to the Committee some reasons why the empties impost which the Rochdale Canal Company propose to charge upon the short-distance traffic should not be allowed. I propose to call the attention of the Committee to some of the precise figures directly, but for the moment I will call attention to the fact that upon traffic which passes for a distance not exceeding three miles, this company ask, according to the Table they put in, 7,500*l.* a year of revenue over and above the amounts which the Board of Trade considered to be reasonable; that is the amount which is apparently at issue before the Committee at the present moment, that is as regards traffic not travelling a greater distance than three miles. The sole reason, apparently, why the Rochdale Company have advanced for the consideration of this Committee as a reason why that impost should be allowed is that they are upon the verge of bankruptcy. In 1888 they had a dividend of very close upon 5 per cent., 4·70 per cent. upon the 85*l.* shares, and I think they said from 1855 till 1888 they had been receiving dividends of about 5 per cent. But now, all of a sudden, in the year 1888, this revenue is lost, and the Committee, by their first amendment, are invited to put the whole of the loss on the short-distance traffic which passes mainly in and out of Manchester. The first loss to which they called your attention was a loss of 1½ per cent., 7,500*l.* a-year, which from 1888 downwards they have not received from the Lancashire and Yorkshire Railway Company, but nothing could induce any witness on behalf of the Rochdale Canal Company to tell this Committee what was the *quid pro quo* for the 7,500*l.* a-year. All they told you was that the agreement under which this 7,500*l.* a-year has been paid during the last few years has not been put into writing. They very carefully kept it a verbal arrangement, and various questions put by my learned friend Mr. Balfour Browne entirely failed to elicit from the chairman of the railway company or the manager what was represented by that 7,500*l.* a-year. Now I respectfully submit to the Committee that if they gave us 7,500*l.* a-year it was for some *quid pro quo;* they had a return for it. If not it seems to be a most marvellous arrangement that the railway company running alongside the canal should pay that canal 7,500*l.* a-year. But, however, the only question for the consideration of the Committee is this: is this loss of 7,500*l.* a year which they have received from the railway company to be saddled upon the toll payers of this canal, and is it to be saddled upon the short-distance traffic which is mainly chargeable on the traffic in Manchester? That is one thing that they seek to recoup without explaining what it is; but in 1888 a much more important change, and a much more fatal change, took place in the policy of that company. They then initiated a policy which the Tables clearly show has landed them on the verge of bankruptcy. The change in their policy was this: that instead of taking the traffic from bye-traders and being content with 18,000 tons a year of freight, which the bye-traders had brought on to the canal, they had done their best to sweep the bye-traders out of existence. They commenced to compete with them themselves. They attempted to prevent my goods being carried upon toll, and they asked to have them carried upon freight, and not only do they compete with their own bye-traders, but they enter into competition with the Bridgewater Canal for traffic between Manchester and Liverpool; 70 to 80 per cent.

of the traffic which they carry upon freight is carried in competition with the Bridgewater Company upon the Bridgewater Canal. The result of that, as one might very readily imagine would be the case, is that their dividend of 5 per cent. has gone down to practically nothing.

I would ask to be allowed to recall to your recollection the reason which Mr. Dykes gave for entering into this fatal competition. Mr. Dykes gave the reasons upon page 237 of the Minutes. He answers a question put by my learned friend Mr. Balfour Browne, which was: "So that that trader has been bought up and will disappear." "The reason why he was bought up was to save the water. He brought loading for us from Hull to Sowerby Bridge; we loaded him back from Sowerby Bridge to Hull. We, having loaded from Liverpool to Sowerby Bridge, brought back the loading that he brought from Hull instead of working the boats empty in one direction over our summit. That is what has resulted in the saving of water, as I explained to the Committee." So that Mr. Dykes explained to you that this amazing enterprise of his of entering into competition with the traders was embarked upon with the sole object of saving water at the summit of their canal. Mr. Dykes told you in the very next answer that the water which is saved might have been avoided without an outlay upon reservoirs of 48,000*l.* By an outlay of 48,000*l.* they could have provided all the necessary water to convey their traffic or have it conveyed. But what do they do? You will see upon page 237 what they did. They laid out 30,000*l.* in buying the carriers' business. They bought two carriers' businesses for 30,000*l.*, instead of spending 48,000*l.* upon their reservoirs, and what is the result of it? In the very next answer he tells you that there is a loss on these businesses of 1,440*l.* a year; so that they spend 30,000*l.* in buying competitive businesses, and they lose 1,440*l.* a year upon that business; and because their revenue has diminished they must look round and see whether they cannot charge something more than 4*d.* per ton per mile upon the 18,000*l.* That was the toll traffic which was then conveyed upon the canal. I may observe that their accounts were put in for the year 1893, and there was no trace whatever of that loss of 1,440*l.* there. I mention that because it must be somewhere, and apparently it must be under the head of expenses or something of that kind. The water apparently was saved, but the revenue was lost. That it was occasioned upon the freight traffic which has caused their revenue to diminish is shown by the statement of tonnage put in by Mr. Dykes; that statement was handed in to you, and the figures he gave are these; he showed you what the amount of tonnage was brought to the Rochdale Canal by bye-traders in 1886, it was 667,127; and in 1887 it was 665,374 tons. Then came these fatal operations by which they have lost their revenue, but not the revenue upon freight. Now they seek to charge the loss upon us. In 1891 their traffic upon toll was identically the same to a ton as it was in 1887, they gave identically the same figure, 665,374 tons, as their freight traffic in 1891; and in 1892 it is very nearly the same. So that your Grace will see that the traffic in which we are interested, the toll traffic, remained as it was; the toll traffic remaining as it was, they have lost the whole of their revenue. Their sole reason for asking to have the freight traffic charged something more than 4*d.* a ton per mile is that they have lost their revenue in competing with the carriers. I would ask the Committee to be kind enough to look at Table F. which Mr. Dykes put in, in order that they may follow the figures which I desire to point out. If the Committee would kindly look at the traffic which they quote in that Table as passing for a distance of three miles or under, they will see that the addition of actual receipts upon that traffic amounts to 1,073*l.* The sum which the Board of Trade suggest should be allowed to them by giving them certain tolls, and by giving them a double mileage for that traffic, charging them six miles instead of three miles, and charging three miles instead of 1½ miles, is 894*l.* Mr. Dykes comes before you and says that is a fair sum, 894*l.* being reasonable, and so far from 1,000*l.* being reasonable, which was the maximum sum allowed them nearly 100 years ago, he says that upon that traffic they are justified in asking 1,524*l.*, and it being a Table for only two months, the difference is this, that their revenue derived from short-distance traffic being about 6,500*l.* a year, the Board of Trade, in round numbers, propose 5,500*l.* a year; and they come to you and say, "That will never do; you must let us charge 9,000*l.*" £. 9,000 per annum is to be charged upon that short-distance traffic after they squandered their money in buying up the carriers' businesses.

One other point would be this: Suppose you did allow this, what Mr. Dykes then asks you is that upon traffic not passing more than three miles you are to allow him 9,000*l.* a year, which is just half the total receipts hitherto obtained from toll traffic over the whole of their canal. They wish to derive half of their revenue from traffic which passes only the short distance of about three miles. Now I have suggested to the Committee, and I can show them that only one reason was submitted as a justification for these excessive terms, that reason being the impending bankruptcy of the company, that was the sole reason; but there was a shadow of a reason advanced beyond that, because Mr. Somerset came here, and with his experience of the management of traffic on the Leeds and Liverpool Canal, he told you that he thought they ought to have the tolls which they asked for. He told you, and that I think is the sole reason given besides the one I have mentioned, that the maintenance is expensive in Manchester. He said there were 10 locks in Manchester, and because there were 10 locks and some other expenses of maintenance he suggested that these enormous tolls should be given. I had the privilege of cross-examining Mr. Somerset, and I proposed to ask him to prepare for the benefit of this Committee the proportion of the extra expense incurred by these 10 locks as compared with the amount which they seek to derive from that traffic; but Mr. Somerset, when he was asked to give any positive and particular fact, sheltered himself behind his complete ignorance of anything connected with the Rochdale Canal at all. He knows absolutely nothing at all about it, and can answer no question put to him upon it. But

what

what he did suggest to you was that this 3,000*l.* a year which the Rochdale Canal Company are asking, is to be paid them because of the expenses of the canal.

Now I would wish just to point this little calculation out to the Committee. The Board of Trade by their proposals suggest about 5,500*l.* a year as the revenue which should be leviable upon this short-distance traffic of under three miles. That was arrived at by the double mileage. Consequently something like 2,750*l.* a year is attributable to the extra expenses of that short-distance traffic. I submit it is obvious to any member of the Committee that 2,750*l.* is ample remuneration for any extra traffic that they may have.

Chairman.] How do you get your 2,750*l.*?

Mr. *Waghorn.*] According to the figures which the Rochdale Canal Company have given you in Table F., for two months they make the traffic 894*l.*; but that has to be multiplied by six for the year's traffic, making 5,500*l.* This is all arrived at by giving double mileage upon this particular traffic.

Chairman.] You said 2,750*l.*?

Mr. *Waghorn.*] That is half 5,500*l.*

Chairman.] You said you thought it was ample?

Mr. *Waghorn.*] I say 2,750*l.*, to cover the extra expenses of the three miles in Manchester, is obviously amply sufficient.

Chairman.] Let me quite understand; the Board of Trade proposal is something over 5,000*l.*?

Mr. *Waghorn.*] Yes; 5,500*l.*

Chairman.] The suggestion of the Rochdale Canal Company is 9,000*l.*?

Mr. *Waghorn.*] The suggestion of the Rochdale Canal Company is 9,000*l.*

Chairman.] Then do I understand your suggestion is that 2,750*l.* is ample as against the 5,000*l.* of the Board of Trade, or the 9,000*l.* of the Rochdale Canal Company?

Mr. *Waghorn.*] I did not make myself quite clear.

Chairman.] What figure is it that you wish to press upon us as the right figure?

Mr. *Waghorn.*] My clients are quite willing to take the Board of Trade figures in this instance. They are quite willing to acquiesce in the proposal of the Board of Trade as regards that double mileage. They think some extra expense is incurred in a place like Manchester, and the Board of Trade having carefully considered that question, we acquiesce in their suggestion on that point; but the Board of Trade have already allowed double mileage in that figure. They allow, according to their proposal, one mile to be counted as two, and half a-mile as one; but that includes 2,750*l.* a year to recoup the Rochdale Canal Company for the extra expenses upon that short-distance traffic. Now, Mr. Dykes comes along, and Mr. Somerset comes along, knowing nothing about it, and Mr. Somerset says there must be 3,000*l.* more than that; 2,750*l.* is not enough; it must be about 5,750*l.* to recoup them their extra expenses on this short distance.

Mr. *Cripps.*] I do not think anyone said that; I cannot quite follow these figures.

Mr. *Waghorn.*] Mr. Somerset came to say that the proposals of the Rochdale Canal Company were quite fair; he had not worked them out, he did not give any figures, but I have given what the figures add to. They put in their account for the year 1893, and one of the figures in that account which I call your attention to is this: Their total expenses for the year for maintenance came to 6,496*l.*, and in the face of that figure they put in Mr. Somerset to say that over and above the ordinary mileage toll they ought to be paid 5,750*l.* because of the extra expenses over these three miles. No engineer, or anyone of the engineering staff of the Rochdale Canal Company came to give you such evidence, because if he had come he would have been cross-examined upon the point. A witness, put in by myself, called the attention of the Committee to the difference which these proposals would make over what the company are now charging. The attention of the Committee has, no doubt, been called to the fact that the Rochdale Canal Company 100 years ago were allowed upon such traffic as timber, grain, and cotton, to charge 4*d.* a ton a mile. This sum the Rochdale Canal Company have been charging, and for such distances as three-quarters of a mile, and half-a-mile, and a quarter of a mile. My witness pointed out that with an ordinary boatload of traffic they would charge at present 15*s*, 10*s.*, or 5*s.* Now they ask in everyone of these instances to be allowed to charge 21*s.* 9*d.* on timber, grain, and cotton, instead of the 15*s.*, the 10*s.*, and the 5*s.*, which they are charging now, and which is their present maximum. They are asking the Committee to revise tolls which were given 100 years ago, at the rate of 4*d.* a ton a mile, and allow them instead of charging 5*s.* a boat to charge 21*s.* 9*d.*, and that you will see upon no small insignificant amount of traffic. We are quite prepared to give here and take there, but these increases are to be levied upon the bulk of the traffic. The quantity of quarter of a mile traffic, upon which they propose to charge 21*s.* 9*d.* instead of 5*s.*, is 20,000 tons a year. Then the quantity of traffic carried half a mile, upon which they propose to charge 21*s.* 9*d.* instead of 10*s.*, is 37,000 tons; and the quantity of traffic carried a distance of three-quarters of a mile, upon which they are to charge 21*s.* 9*d.* instead of 15*s.*, is 18,000 tons; the mile traffic being something like 40,000 tons. There is only one other point I wish to call your attention to as a matter of figures. This company is asking, on timber and grain, to be allowed to charge nothing less than 5*d.* a ton, no matter how short the distance, it is to be 5*d.* a ton. Upon cotton and cotton cloth, the staple traffic of the district, they propose to charge 6¼*d.* a ton. So, though their present maximum is 4*d.* a ton a mile, on a quarter of a mile traffic they propose to charge at the rate of 10*d.* and 1*s.* on half a mile traffic, 1*s.* 8*d.* a ton a mile, and 2*s.*, and on the mile traffic they propose to charge at the rate of 5*d.* and 6*d.* a ton a mile. I suggest that it is a most unheard-of increase over tolls that have been settled at a time when Parliament was liberal, when three or four times the amount of tolls were allowed that would be

allowed at the present day. I think I have done my duty in calling your attention to these figures, and I have no further argument to add upon the point.

Mr. *Whitehead.*] After the very careful explanation which my learned friend Mr. Waghorn has given, I will not offer more than a very few observations upon this proposal of the company; but I would like to remind the Committee what the exact proposal is. The geographical distance of this canal is about 32 miles. The Board of Trade have granted to the company a bonus of eight and-a-half miles. Now the company ask for a further bonus, in addition to that of six miles, altering their geographical distance from 32 miles up to 46½ miles, increasing the length by 45 or 46 per cent. So if there was no alteration in toll at all, inasmuch as the toll is calculated according to distance, that in itself would involve an increased power as compared with a typical canal of 45 or 46 per cent. But if the Committee refer to the Schedule and take Class A. traffic they will see that the Board of Trade have not given this company ·50, which is the normal figure, but the Board of Trade have fixed a toll of ·75. So taking a typical case and taking the standard as 100, the Board of Trade have given ·75 instead of ·50 on the tolls; that is, altering the 100 for a typical canal into 150 upon this canal. Then, by these additions of these bonus mileages, which amount to 45 per cent., they will get 45 per cent. upon that 150, altering the 150 in the average case to something over 200. So, if this suggestion of the company is accepted by the Committee, they would be giving to the company a power represented by the figures of 220 or 215, as compared with 100, which is the power of the ordinary typical and normal canal. The case is really stronger than that, because these bonus distances, when I take the 46½ miles, are spread over the whole length of the canal; but, as a matter of fact, these bonuses press most heavily upon the traffic at each end, and there, instead of being an addition of 45 per cent., they will really be an addition of 100 per cent. So that figure of 150, which is the toll given by the Board of Trade, without any bonus mileage, will, upon this short distance traffic, be altered from 150 to 300 by the doubling of the distance. So, to take coal in Class A., whereas an ordinary canal company upon that short distance traffic would get 1*d.*, this company would get 3*d.* That is their proposal. What reason do they allege for it? They allege, first of all, this expensive maintenance and construction. As regards construction they admit they do not seek for any revenue upon all that capital which they expended out of revenue; if so, then the original expense in constructing this portion of the canal has no bearing upon the case; they are not seeking any revenue upon it. As regards the expense of maintenance Mr. Waghorn has thoroughly disposed of that. Then take the loss of water, that was the only other reason. They put Mr. Somerset in the box and he placed before the Committee figures which at first sounded very startling. He said he had inspected the canal at the Bridgewater end of it and he had seen 75,000 gallons of water running to waste in 10 minutes; and he represented to the Committee in effect that owing to the loss of water at that end of the canal they ought to have this bonus mileage at that end of the canal. That was the suggestion. In cross-examination I took the case of traffic between Rochdale and Heywood. The water used by that traffic passes through a lock between Rochdale and Heywood, and that lock of water having started on its journey down the hill must come down to the end of the canal and pass into the Bridgewater Canal. Upon that loss of water the company have received their toll upon the upper reach of the canal. It is not water that is lost; it is water which has been used. Now take another illustration, traffic to end from the Ashton Canal. The Ashton Canal is at a higher level than the Rochdale Canal, and therefore whenever there is traffic passing along the Ashton Canal whether it comes into the Rochdale Canal or not—whenever there is traffic passing upon that canal the water is sent down into the Rochdale Canal and supplies this lower reach with the water that is required, showing that no question of loss of water would justify the additional charge here. There is no water lost, it is merely water that has been used and water upon which the company has already received a toll. I will endeavour to explain very shortly what the nature of the traffic is that will be affected by these proposed changes. Tables E. and F. are really the only pertinent ones to this matter. Table F. proves quite clearly what Mr. Dykes stated to the Committee, that their traffic is nearly all short distance traffic. The traffic going less than five miles in these two months' return of traffic amounts to 71,000 tons out of 102,000 tons.

Chairman.] You are on Table F.?

Mr. *Whitehead.*] Yes; so that 70 per cent. of the traffic is traffic that goes less than five miles. Now turn to Table E., you will see what classes of traffic are affected by it, it is short-distance traffic; but Table E. shows that nearly all their traffic is traffic in Classes A., B., and C., and No. 1, the rest of the traffic, is comparatively unimportant. Mr. Waghorn has dealt with Classes C. and 1, so I will not go over that ground, I will only say that the traffic in Classes C. and 1 amounts to about 30 per cent. of the total traffic, but I ask you to turn to Classes A. and B., which you will see constitute 67 or 68 per cent. of the total traffic. If you put together the fact that it is short-distance traffic, and the fact that it is traffic in Classes A. and B. which will be most affected by this change, then, I think, I am justified in asking the Committee to consider the two important articles in each of those classes as really typical of the operation of this bonus mileage. When Mr. Dykes was in the box I asked him to consider two articles. I took coal by far and away the most important article in Class A., and salt an important article in Class B. Upon coal, I put it to Mr. Dykes, What is your existing charge, and he said 2½*d.* for traffic passing from the Bridgewater Canal up to the Ashton Canal, a mile and a-half or a mile and a quarter 2½*d.* is the existing charge. Then I said, "What will it be if you get this bonus mileage?" and he said 3¼*d.* And then I said, What would it be if you get not only the bonus mileage you are asking for, but also these higher

higher tolls in a later amendment, and he said 4½*d.* Now 2½*d.* we maintain is an excessive charge. No canal company could justify 2*d.* per ton per mile upon coal if it were conducted on the ordinary principles of a *bonâ fide* canal.

Chairman.] That would be a canal with a long lead?

Mr. *Whitehead.*] Quite true. That difficulty is always met in this way, the canal company is protected on that short-distance traffic by getting a minimum toll clause. You will see in this very Schedule ——

Chairman.] What page?

Mr. *Whitehead.*] Page 15, "Where merchandise is conveyed by a bye-trader in a boat which passes through one or more locks on the canal the company may charge a minimum toll of 7*s.* 6*d.*" That provision is inserted specially with the view to protect the company against any loss owing to the transit being a very short one, and that having been already provided for by the Schedule we may fairly consider the toll itself, and compare that toll of 2*d.* a ton a mile on coal with the normal toll of ·50, or compare it with the railway rate, which includes all the expenses of transit, which on a typical railway is ·90 or ·95. If that be so, if that is what their existing charge is, 2*d.* a ton a mile as compared with the normal toll of ·50 on a canal, or 1*d.* the normal maximum railway rate, it cannot be justified. Twopence is a figure which ought to be cut down; it is an extortionate charge, and I submit they have not put before the Committee any facts that would justify that toll of 2*d.* being maintained. But they are not content in asking to maintain it, but they ask to increase that 2*d.* up to 3¾*d.*, and, if they get their two amendments, up to 4½*d.*

Sir *William Houldsworth.*] Do not you mean 2½*d.*?

Mr. *Whitehead.*] Per mile it is 2*d.*; for a mile and a quarter it is 2½*d.* I go back to the toll per mile in order to compare it with the ordinary figure of ·50. I am quite aware, and it is right that I should point out to the Committee, that under the Board of Trade proposals, instead of getting 2½*d.*, which is their existing charge, for that distance for coal, they will in future get 1·875*d.* That we submit is perfectly reasonable and right; 2*d.* being an excessive charge it is perfectly right that it should be reduced. But in any event the fact is that they get recouped somewhere; because if your Grace will refer to Table E. again you will see that upon Class A. traffic taken as a whole, though they may have their power reduced as regards coal, yet upon the whole class, whereas at the present time they get 752*l.*, the Board of Trade are giving them 861*l.* So that the Board of Trade proposals do give them a margin of 140*l.*, or a total actual revenue of 722*l.* If the Committee will refer to those two columns "actual revenue" and "maximum powers," under the Board of Trade proposal, as you will see, that is the very case in which the Board of Trade have given them the margin. On Class B. actual revenue 730*l.*, and Board of Trade maximum powers 743*l.* On Class C. there is a similar margin, actual revenue 623*l.*, Board of Trade 641*l.* Upon Class I. there is a margin of 50 per cent., 200*l.* on the traffic, which is 483*l.* The fact is that they are not asking for this power of charge *bonâ fide* at all. Your Grace remembers this bonus mileage, which I have dealt with at the Manchester end; but they ask a bonus mileage at each end. That is not an accident; and the more the Committee see of bonus mileages the more they will find that by a strange chance they are always asked for at the end of the canal. Your Grace remembers that, when dealing with the Trent and Mersey Canal belonging to the North Staffordshire Railway Company, they asked for a bonus mileage on the Macclesfield branch; that is just at the junction between their own canal and the canals belonging to the Manchester, Sheffield, and Lincolnshire Railway Company. Why did it happen to be asked for just at that particular point? Why is it here again that you find it is just at each end of the canal? It is not an accident at all. The real fact of the matter is that it is in order that the canal company may get the power of taxing the traffic which comes off some other system which is passing from its own system on to another. Although in form it is not what has been called the bar toll, yet in reality and in fact it is intended to make the traffic which comes from some other navigation or going to pass to some other navigation pay a tax or a toll to the particular canal company. And I would ask the Committee whenever they see that the bonus comes at the end of the transit just at the junction to be very suspicious of that circumstance.

Chairman.] What are we to be suspicious about?

Mr. *Whitehead.*] It is designed really in order to impose a tax or a charge specially upon what we would call foreign traffic, traffic coming from or passing to some other canal navigation, but it is what my learned friend, Mr. Balfour Browne, called a bar toll in speaking on behalf of the Calder and Hebble. Under the old Canal Navigation Acts it often happened that a company acquired a right of imposing just at the junction a special charge, 2*d.* or 4*d.* or 6*d.*, as the case may be, not for any particular services, but it enabled them in certain cases to divert traffic on to their own canal instead of sending it by another route, it was a bar toll proper; that is to say, it was in order to keep to a particular canal company all the traffic, and not to allow it to pass off on to another navigation which might be more convenient; but of course it would be an injury to the particular company which acquired the power of making a bar toll. It was a bar toll originally. But what you now will find is this, that no canal company asks for a bar toll under that name, but they do in effect (and that is what the company is doing here) seek to impose a new charge by means of a bonus just upon that particular traffic passing to or from some other canal. In substance that is the same kind of charge; that is to say, it is a prejudice upon that traffic and an injury to the particular traders who are interested in that foreign traffic.

I will not go over any ground traversed by my learned friend Mr. Waghorn, but I would remind the Committee of this: here you have a company whose dealings with the railway company have been

been at least very curious. I do not wish to rely very much upon that; but you have that fact at this very point. You have here a company whose interest it is to drive the bye-traders off the canal. They became carriers themselves recently, and whenever you find a company carrying upon its own canal the interests of the company become antagonistic to the interests of the bye-traders. If they can secure the traffic to themselves by putting on high tolls then they get a double profit, and get all the profit from the carriage as well as the potential profit upon the toll. You have here the fact that the Board of Trade have given them a very large margin, a margin in some cases of 50 per cent. in Class I., and in every single class an actual margin. You have the fact that if you concede to them the amendment they ask you will be giving them in some cases an increase of 50 per cent., and in some cases 100 per cent. upon tolls which are quite obsolete as regards canal legislation; although it may be the fact that upon this particular canal they are now being put in force. If they are being put in force now, then I submit to the Committee that it is just the reason why the company should not have this increased power of charge. They cannot be tested. Take the case which Mr. Dykes mentioned. If a company is charging 4*d.* per ton per mile on creosote in Class B., then I ask the Committee not to entrust that company with powers which would enable them to further tax the traders, but to reduce, as you are bound to do when you come to the more scientific classification, those old powers of 4*d.* and 2*d.*; give them the ordinary normal figure (but that is not the amendment now before the Committee), and treat them as you would an ordinary physical canal company, and do not give them this increased power of charge by means of any bonus mileage.

Mr. *Cripps.*] Your Grace, the difficulty in replying to this case rather arises from this cause. We have certain theoretical suggestions, and suggestions of prejudice, put forward by my learned friends on the other side. Only one trader has been called at all, who is Mr. Pease, and I wish to treat the evidence which Mr. Pease gave with all respect. All the other evidence here has really been the evidence of rival canals who have already got the bonus upon their system which we ask as a fair arrangement upon our own, namely, the Calder and Hebble, who have a bonus mileage upon one side, and the Bridgewater, who have the same bonus, upon the other side, as regards the Runcorn Canal. I should like to state at the outset that, so far as Mr. Pease is concerned, the only single trader called, except these various interests of the competing waterways who have got the bonus that they seek to deprive us of, we are perfectly willing to meet him. He did not complain of the 2½*d.* rate. Mr. Pease at the present time has a 2½*d.* rate as regards coal coming off the Ashton Canal on to the Manchester end of the Rochdale Canal itself. We are willing that the 2½*d.* should be left as the maximum, so far as Mr. Pease's traffic is concerned. It does not affect us, and I will tell you why. As Mr. Pease told you himself, the actual rate charged was a competitive one which he got in competition with the railway traffic; and because we could not charge more than the rate or toll charged by the railway companies. Further it was a through toll. And it is a very curious circumstance that my learned friend, calling no evidence upon the other side, should labour the question of through toll, which arises very little in fixing these tolls under these various Schedules. What we have to do with is chiefly local tolls; because directly you get through tolls you have the outside tribunals who can decide inside what maximum is a fair toll. Not that the Bridgewater have come in their own person; but they send, no doubt, Mr. Wilson here, just as the Calder and Hebble sent Mr. Swindells here, to give evidence with reference to the bonus which they propose on the Sowerby Bridge side. But where are the traders, except Mr. Pease? The traders are with us, the reason being that it is not their interest that the canal system that they wish kept open should be placed in a bankrupt condition. It is not their interest, and they have not come to ask the Committee that any such result should be brought about. With great submission with regard to the argument of Mr. Whitehead, it is purely theoretical. He puts forward this proposition. Treat this canal company like any other canal company. Our case is that which has been adopted by the Board of Trade, that the conditions are very exceptional and peculiar. Where is Mr. Whitehead's evidence contradicting what Mr. Dykes said? They have not brought it. Where is the trader who is interested in this theoretical consideration raised by Mr. Whitehead and Mr. Waghorn? It is not the opposition of the traders, it is the opposition of competing canals who have the very bonus that we fairly ask that the Committee should give the Rochdale Canal under the circumstances which I have mentioned.

Now, your Grace, what are the real facts? Apart from the questions of prejudice, Mr. Lloyd, our chairman, explained what the relationship was as between this canal and the railway companies, a relationship which now has ceased for ever. It is not our interest that it has ceased, we might have wished to maintain it, but it has ceased, and, as Mr. Lloyd said, has ceased for all time. My learned friend Mr. Balfour Browne, said they could call evidence to disprove it. Where is their evidence? We have Mr. Lloyd's statement that that is not true; he is the only witness upon the point. My learned friend Mr. Balfour Browne said he was going to call witnesses to prove his statement as a question of prejudice. Where are they? Not a single witness has been called to disprove Mr. Lloyd's simple statement upon the facts. Then, as my learned friend Mr. Moon pointed out before, all this idea of railway influence and so on has become effete and has passed by since the Act of 1888; that is the reason why for all time any connection between the Rochdale Canal Company and the railway company has ceased; it is no good any longer.

Now, your Grace, if we take the simple facts they are these: I could not follow Mr. Waghorn's figures, but he arrived at them by mixing up maxima and actual, and if you do that you have a certain amount of confusion. Look at Table

Table E., and there has been no dispute about this, and no trader has been called to say that Mr. Dykes is not perfectly reliable. Table E. shows that our actual losses (that has reference to the charges which we can make) under the Board of Trade proposals would be 2,037*l.* per year; that is at the bottom of the page. That has not been questioned. And if you turn to Table G., which is the other important Table upon this case, you find that as regards that loss, 1,785*l.* of it would be saved, but if we were given the sum we asked as regards bonus mileage, that we should still lose. If we are given what we ask as regards bonus mileage we should save 1,785*l.* out of the loss of 2,037*l.*; and as I told your Grace and the Committee when I opened the case, if we could get the bonus mileage we should be content with the tolls the Board of Trade have given us. Now, your Grace, there is no dispute upon these figures; they must be accepted as true. No trader has come to complain of what we propose, or to say it is unfair that this canal should have a sufficient income to be kept as a going concern. It is not the interest of the traders that a canal of this kind should be shut up, or should be interfered with in doing its duty, it is much to the interest of the Calder and Hebble or the Bridgewater Canal, and that is the evidence that the Committee have had. The one single trading interest is Mr. Pease. Now, so far as Mr. Pease is concerned, we are content to put in a proviso, as has been done in other cases that the charge in respect of coal passing from the Ashton Canal on to the Rochdale Canal shall not exceed the 2½*d.*, of which Mr. Pease does not complain at the present time. It is rather ludicrous to hear my learned friend Mr. Whitehead really attacking this 2½*d.*, when the one trader who came and has to pay it is perfectly content. All he asks is that the 2½*d.* should be maintained. So as regards the general argument of my learned friend Mr. Whitehead as regards the railway companies. Railway companies have their six miles or four-miles minimum charge which exactly applies to a case of this kind. Putting on one side prejudice, which there has been nothing here to support at all, and coming to the business aspect of the matter, what is the case? It is not disputed that at the present time we have a net income of only a little over 1,000*l.* a year. It appears upon our 1893 accounts that the Board of Trade proposal would take away 2,000*l.* a year, that is not disputed; the result would be that we must go into the hands of a receiver. The traders do not want it. No trader has come to ask that this shall be brought about, not for them, but for the benefit of competing waterways, the Calder and Hebble on one side, and the Bridgewater, indirectly represented by Mr. Willson, on the other.

Now let us consider what our proposal is: first, as regards the Manchester end, where we have made a proviso in Mr. Pease's favour. What is wrong in what we ask for? Here is a terminus in the centre of Manchester differing altogether from the ordinary conditions of the ordinary run of canals through country districts. No one is here to object except certain people in the interests of rival canals. And it is the more curious when you remember that in the Bridgewater case at Runcorn they got this very bonus that we ask for as regards the Manchester end. Of course, your Grace will recollect, and I am sure my learned friend Mr. Whitehead would admit the logical contention, it is not the case of a 32-mile canal being increased in length generally, that is not the point. The question is as regards particular portions of the canal, it is fair that we should have a bonus mileage charge. Questions of through tolls are not dealt with directly by this Committee at all. That can be brought before the Board of Trade hereafter as conciliators, or if they are not successful conciliators they can go before the Railway Commissioners. At the Manchester end we ask for the same condition as the Bridgewater asked at Runcorn. Surely our case is enormously stronger than theirs is. You have, as I say, this Manchester terminus; it is a very curious case. This Manchester terminus has been very costly, and gives facilities and conditions that you will hardly find upon any other canal; no trader objecting excepting Mr. Pease, and we meet his objection. Surely it is fair, under these circumstances, that our canal should be kept open in the interests of the trade, and not be crippled in the interests of rival navigations. The traders are not opposing here except Mr. Pease. They want us to have fair terms to be kept open to compete with the rival waterway. Then the second bonus is a five mile bonus as regards the summit level, and that is analogous to the Leeds and Liverpool case. And not a single trader objects upon our whole system. We ask for five miles, the Board of Trade giving us four miles. The tonnage is about 665,000 tons in a year, and so far as the prejudice of my learned friend is concerned, 80,000 tons of that is as carriers; and therefore our interest as toll takers is much larger. But all that tonnage is carried over our summit level, and no objection has come from any single trader. When we get down to the Sowerby Bridge end we still have the three mile bonus as regards the six last locks, where we lock down into the Calder and Hebble Canal. All these bonuses can be considered distinct one from the other. Where is the trader who objects? He is not here at all. Where are the people for whom we carry 600,000 tons of traffic? It is not their interest that we should be unduly crippled. Nothing can be more shortsighted if they want to keep these waterways open than that they should be further crippled in their competition with the railway companies. It is the interest of the traders that the waterway should be kept open and be properly maintained, and that is the reason they are not here opposing this fair proposal.

Mr. *Waghorn.*] I have a most important witness representing a large amount of trade, but I reserve him upon another point.

Chairman.] You did not call him?

Mr. *Waghorn.*] Not upon this particular point.

Mr. *Cripps.*] Nothing can be more eloquent than what my learned has said, that he has an important trader and he could not call him.

Nothing could be more eloquent than what my learned friend has now said.

Mr. *Waghorn.*] My learned friend has no right to make such an observation.

Mr. *Cripps.*] Mr. Waghorn says, he has a trader that he wants to call upon another matter and has not called him. Nothing can be more eloquent than silence of that kind. That is the condition. You are asked in the interest of the rival canal companies to do injury to the Rochdale Canal Company which would prevent them dealing fairly and properly with the very large amount of trade which they now carry on; and the traders are not here to oppose the proposal that we are making. After all I do not want to repeat myself; you are asked to do it upon questions of the merest prejudice raised either by the Board of Trade or by my learned friend Mr. Waghorn. I will not say what Mr. Whitehead stated because he put the argument in a different way; and I say there is not one iota of evidence to support the question of prejudice. It is not for me to prolong a discussion of this kind. We only want in the interests of the traders to have sufficient revenue to keep our canal open, and to keep it open and efficient for trade purposes in our interest and in the traders' interest too. It can be done by this system of bonus mileage, which is not a new principle, it is a principle which has been allowed in numerous cases, and it is the fairest way of meeting the difficulty; and I claim that the traders agree with us that it is the fairest way of meeting the difficulty, because not a single trader has come to oppose it, except Mr. Pease. I am prepared on behalf of my clients, with regard to Mr. Pease, to say that we will introduce a proviso in order that his 2½*d.*, which he is content to pay now, shall not be increased in the future. I think I have already pointed out to your Grace that if this amendment is passed we accept the Board of Trade toll. We only want after all to get a sufficient income to keep our waterway open in an efficient manner to carry on our traffic. And, moreover, the question of tolls is less important to us than this question of bonus mileage, because, as we pointed out, a very large amount of our traffic, 74 per cent., is short-distance traffic, and chiefly at the Manchester end.

Mr. *Pelham.*] Your Grace, I am not anxious to attempt to answer any of the arguments which have been advanced either by the traders or by the company; but I am anxious to state, as shortly as I can, the principles which have guided the Board of Trade in arriving at the decision contained in the Schedule. In the first place, the Board of Trade are quite willing to recognise that the canal is free at the present time of railway control, though, no doubt, it may be said that the effects of railway control in the past are still felt. It will take a good deal of time for the canal traffic to recover from the railway control which has been fatal to the traffic on many canals; but the Board of Trade felt that in preparing the Schedule they could not leave the question of actual toll more particularly, as distinguished from rates, to be determined by competition. They had to consider what is a just and reasonable toll to be actually charged. There is always a temptation to a carrying company to keep the tolls high in order to keep bye-traders off, so that the company themselves may do the carrying. The Board of Trade have had to try and fix a toll which will keep the canal open for the bye-traders. The Board of Trade quite recognise that this does not apply to Classes A. and B., since canal companies, as a rule, do not carry articles in those classes; and it does not seem to apply very much to the Ashton traffic; because, as we heard the other day, the company do not carry the traffic which goes off their canal or comes from the Ashton Canal.

Now, going through the different proposals of the Board of Trade, I want to call attention to the fact that the Board of Trade have fixed a considerably higher toll for all articles in this case than they have upon other canals in the neighbourhood. It was recognised at the Inquiry before me, even by the traders, and particularly by Mr. Royds, who gave evidence before the Committee, that the physical circumstances of this canal were very special, and required special consideration.

Chairman.] Did I understand you to say that the canals do not generally carry traffic in Classes A. and B.?

Mr. *Pelham.*] Not generally, because boats are kept by the owners of the raw material, and the boats are used only for these articles. The Board of Trade have, therefore, instead of giving 0·50*d.*, as was the charge last year, have given 0·75*d.* for Classes A. and B., that is a 50 per cent. higher toll; they gave, as was done in other cases last year, a bonus mileage for the summit; the reason for that being that where a boat goes through the summit two locks of water are lost instead of one. They did not think it necessary to give a bonus mileage at the Sowerby Bridge end, the eastern end of the canal, as they considered that any special expense there was covered by the increased mileage toll, 0·75*d.* If a bonus mileage was given to the summit at the Manchester end and to the Sowerby Bridge end it would be almost better to do away with the bonus mileage and give a much higher mileage toll; a mileage toll of 0·75*d.* would be almost a sham. What the Board of Trade felt was this, that a high minimum toll for boats of 7*s.* 6*d.*, that is 90 pence for a boatload of 40 or 50 tons, was a sufficient toll to compensate the company for any extra expense at that eastern end.

Now, your Grace, the Board of Trade do recognise, no doubt, that the cost of the canal at the Manchester end is very exceptional; it is not only that it cost a great deal more to make it, a point which it is rather difficult to ascertain on account of the lapse of time, but there is this fact, that they pay a very high rent, a continuing rent of many thousands of pounds a-year for that part of the canal. Therefore the Board of Trade gave a bonus mileage. If the Committee will look at the third sketch plan shown in connection with the Bridgewater and Ashton Canal at Manchester, they will see that the whole of the five miles is not shown; there is only about two miles and a bit shown; but the Board of Trade have given for those five miles

miles an extra five miles, and each quarter is to be taken as doubled. The Committee will see that the canal joins the Bridgewater Canal down at Castlefield Lock at the extreme left of the plan; that the canal going east from there is a very steep gradient for a mile and a-quarter, it is a mile and a-half to the Brownsfield Lock, it is a mile and a-quarter to the junction. Now I wish the Committee to notice that junction with the Ashton Canal, because that is not only a junction with that canal, but that is what is known as the Manchester terminus; the terminus not being at the end of the canal, but being at that point in the very centre of Manchester. It is very important to notice that, because I want to point out in a moment what the proposals of the company are. The Board of Trade doubled the distance for five miles, but they have not given any minimum distance except the ordinary minimum distance of one mile; that is that the first mile is to be charged as one mile, any fraction of a quarter of a mile after that is to be charged for as a quarter. Now the effect of the Schedule of the Board of Trade seems to cause a very considerable loss, about 900*l.* upon the first three miles. It is not quite clear where all that loss is incurred; some of it may be incurred at the Sowerby Bridge end, some of it may be incurred in the centre of the canal, I expect the greater part of it is incurred at the Manchester end. It will be noticed that there is an increase on all these distances. I mean that for some traffic the Board of Trade Schedule would allow a considerable addition to the present toll, and I think it ought to be noticed, though it has not been mentioned to-day that, as a matter of fact, some of those increases ought to be counted, because the increase is not only above the actual toll, but is above the existing maximum toll of the company (that is for a quarter of a mile and for half a mile); therefore, some of those ought to be counted.

Now, your Grace, I come to the company's proposals. The company propose that the mile and a-half up to the Brownsfield Lock at the Manchester end should be five miles, and they leave the three and a-half miles east of the Brownsfield Lock to be doubled as the Board of Trade propose. The consequence is that they multiply the distance you may say almost by four, though not quite, because it is a mile and a-half to be counted as five miles. But I want the Committee to see, because nobody has called attention to this, what the effect of the minimum distance part of the amendment is. It is not only that this distance is to be multiplied by four, but that any little bit of it is to count as five miles. Let us take the traffic coming down from the Rochdale Canal. It comes down for three and a-half miles; it has not only to pay a higher toll than on other canals, 0·75*d.*, but it has to pay double distance as proposed by the Board of Trade. When it gets to Brownsfield Lock it has to go a quarter of a mile in order to get to the Manchester terminus, and for that quarter of a mile it is actually proposed that it should pay as for five miles. Now, I do not think the Board of Trade can be expected to call it a just and reasonable toll that the last 100 yards of the journey should be charged for as for five miles. The consequence of this proposal if passed would be that A. and B. traffic would have to pay five miles 1·75*d.*; it would have to pay 3½*d.* per ton for that last quarter of a mile, instead of the 1·875*d.* proposed by the Board of Trade. C. traffic would actually have to pay 5*d.* for that quarter of a mile, or even for 100 yards coming down to the Manchester terminus; and the same would apply upon traffic starting from the Manchester terminus and going up towards Rochdale.

Chairman.] What is the distance from Brownsfield Lock to Manchester?

Mr. *Pelham.*] A quarter of a mile. Your Grace will see it upon this plan, No. 3.

Sir *William Houldsworth.*] Between A. and C.?

Mr. *Pelham.*] There must be a great deal of traffic upon it, because that is the terminus for A. the Manchester traffic. As regards the Ashton Canal traffic, the Board of Trade did feel that it was very important to keep open there [illegible], particularly as there was a chance of the opening a great deal of traffic there owing to the [illegible] of the Manchester Ship Canal. They thought that the proposal of the Board of Trade, 7*s.* 6*d.*, probably covered the minimum toll for boats, would greater part of that traffic. The Board of Trade traffic, not only went very carefully into all this inquiry, but several interviews were held with the company and the traffic in the same manner both with the company and the traffic was followed out, and the particular traffic of the canal. The bonus to other parts give the exact actual mileage was found impossible to agree that if any increase upon other without giving a very great increase upon other traffic in the same class going from other parts to other parts of the canal. The Board of Trade agree that if any increase is to be made the best plan would be to give a bonus to be made at the Manchester end. The bonus mileage have given something, but if anything more is to be given it should be given in that way. But the Board of Trade have had the same difficulty what is a just and reasonable toll. consider to fix a toll low enough to be suitable I cannot tolls. The Calder and Hebble tolls have been fixed low enough to exactly fit their case upon the existing tolls. But the Board of Trade have not felt at liberty to fix a toll to cover all actual tolls and to assume that a toll because it is the actual toll, is a just and reasonable one. I do not want to suggest any alteration. I do not want to express any opinion before the Committee, because they have heard the evidence; but I am only anxious to say that if the Committee think there should be an increased toll at the Manchester end, I should suggest for their consideration that it would be better to take that mile and a-half up to Brownsfield Lock, or a mile and a-quarter to the junction, and that instead of multiplying it by two, as was done by the Board of Trade, each quarter of a mile in that distance should be multiplied by three, or whatever distance the Committee may think right. What I particularly desire to guard against is the Committee giving that five miles for any distance unless they think that the case is thoroughly proved. I wanted to point out the injustice done to certain traffic only going a few hundred yards over that particular part of the canal.

Mr. *Moon.*] May I make a remark upon what Mr. Pelham has said? He pointed out a difficulty which none of the opponents have pointed out; that is to say, that traffic coming from the Sowerby Bridge end might come along the whole of our canal, and yet, if it passed through the Brownsfield Lock into the Dale-street Basin, might be subjected at the end of its journey to the extra five mile charge. That is the difficulty that has just been pointed out; it was not pointed out by any of the opponents. We are not desirous to add any bonus mileage to that traffic; and if Mr. Pelham can suggest a way in which the bonus mileage given to us by the Committee shall be so arranged as not to apply to traffic coming from the east, we shall be perfectly willing to accept it.

Mr. *Pelham.*] If anything is to be done, the best way of carrying out what Mr. Moon has been good enough to concede, would be to say that each quarter of a mile upon a particular part of that canal, instead of being multiplied by two, as proposed by the Board of Trade, should be multiplied by three, four, five, or six, whatever the Committee think right.

Chairman.] That is upon traffic passing from where to where?

Mr. *Pelham.*] From the Bridgewater Canal, passing either on to the Ashton Canal, or passing through the Brownsfield Lock on to the higher part of the canal.

Chairman.] And coming the reverse way?

Mr. *Pelham.*] Coming the reverse way. It would not be right to make any difference between the two ways in which the traffic is going.

Chairman.] Mr. Moon talked of it coming from the east, you speak of it as going from west to east.

Mr. *Pelham.*] It is just as bad for traffic starting from the Manchester terminus and going only 100 yards over this part of the canal. Then I should like to make a suggestion that if the extra mileage is given here, if the mile and a-half is multiplied by three, it would give an additional mile and a-half instead of two miles, as they propose; but it does not, of course, enable them to charge for the short distances as for the full four or five miles.

Now I want to make another suggestion. I think if the Committee give the canal company this extra mileage at the Manchester end, that some reduction ought to be made (I do not know whether it is the proper time to consider it now) on the long-distance tolls. I do not think that the company want it very much at present on the long distance. When they get 20 or 30 miles they get all they want, and I am inclined to mention it now that if this was given, the three miles in the Table of tolls on page 17 should be struck out so as to make the fourth column come in quicker. It makes the remainder of the distance column apply after 20 miles instead of after 30 miles. I think that is all I can suggest. I feel very great difficulty, fearing I am trespassing upon the province of the Committee.

Mr. *Moon.*] With regard to the last suggestion of Mr. Pelham, I think in principle the Rochdale Canal Company would be willing to fall in with it: that is to say, if our initial mileage is increased and we are given a bonus or something equivalent to it, that the mileage on the long distances on which we do now get a margin given us, which we are not able to exercise, should be reduced. The amount to which it should be reduced is very difficult to speak to, because we cannot for the moment see what the effect would be of striking out the third column in the Table, as Mr. Pelham suggests. We must consider a little what the effect of striking out a column would have upon the traffic, before we give a definite answer as to whether we could accept it; but in principle we accept the limitation in the power given by the Board of Trade upon the long distances.

Mr. *Waghorn.*] I do not know whether your Grace would hear what the traders have to say upon this matter?

Chairman.] You have not called the traders; we have only had one gentleman before us.

Mr. *Waghorn.*] I represent the largest body of traders who are interested in this matter.

Chairman.] You have not called them. We must now consider the matter.

The Committee deliberate.

Chairman.] The Committee have decided to accept the last proposal of the Board of Trade; that is to say, giving three-quarters of a mile for each quarter of a mile within the limits accepted, as we understood by Mr. Moon, between Brownsfield Lock and the Bridgewater Canal; and to give five miles at the summit in place of four miles.

Mr. *Moon.*] Do I understand the decision of the Committee is that up to Brownsfield Lock each quarter of a mile shall be calculated as if it were three-quarters of a mile?

Chairman.] Yes; that is what we understood you to accept.

Mr. *Moon.*] Of course that is not what I agreed to. I understood Mr. Pelham to suggest that the multiple should be either three, four, or five, or six, according as the Committee decided. What I meant to agree to was that the traffic that came from the east should not have five miles put upon it at the end of its journey. I did not mean to agree to any multiple of a quarter of a mile. I understood your Grace to say that I had agreed to what Mr. Pelham suggested——

Sir *William Houldsworth.*] That is to say, with regard to the distance between Brownsfield Lock and the junction?

Mr. *Moon.*] Yes; that quarter of a mile which the traffic uses coming from the Sowerby Bridge end.

Sir *William Houldsworth.*] But afterwards Mr. Pelham suggested that it would be inconvenient to deal with that unless we dealt with the whole distance.

Mr. *Pelham.*] What I suggested was, that it would be inconvenient to make any exception in the case of traffic going one way and not to apply the same thing to traffic going the other.

Mr.

Mr. *Moon.*] I do not know whether the Committee have acted on the impression that I, on behalf of the Rochdale Canal Company, had agreed with Mr. Pelham that each quarter of a mile up to Brownsfield Lock should count as being three-quarters of a mile; that is to say, multiplied by three. I did not understand Mr. Pelham to suggest that as a definite proposal of the Board of Trade; but I understood him to suggest it for the consideration of the Committee as being a principle upon which the Committee should arrive at the charge to be put upon that part of the canal. Mr. Pelham said afterwards that he thought the multiple which the Committee should choose should be either three, four, or five, or six.

Mr. *Pelham.*] The result would be that as regards the traffic which goes right through the company would get, under what I understand to be the Committee's decision, four and a-half miles, whereas they ask for five miles; but as regards the short traffic which does not go the whole of that length, of course they would get considerably less than they propose, which I represent would be beyond all reason; I did not suggest three times, or four times, or five times —I was anxious not to trespass upon the province of the Committee. I was only suggesting that it should be done upon that principle.

Mr. *Moon.*] Possibly we might have time to consider what the effect upon our revenue would be of treating each quarter of a mile upon this part of the canal up to Brownsfield Lock as being three-quarters of a mile, if the Committee will give us time to consider what the effect of that would be, we could tell the Committhe what the result of their decision would be.

Chairman.] Yes.

Mr. *Moon.*] At present it is difficult to tell what the result of the Committee's decision would be.

Mr. *Waghorn.*] Let me call the attention of the Committee, in connection with this, to what is provided at page 16 of the Bill, "For a fraction of the first mile the company may charge as for a mile, and for a fraction of a mile after the first mile the company may charge according to the number of quarters of a mile in that fraction, and a fraction of a quarter of a mile may be charged for as a quarter of a mile." I take it the decision of the Committee will not mean that a mile is to be charged as three miles; the alteration of the method adopted by the Committee I think throws the thing a little out of gear.

Mr. *Pelham.*] I can explain what the effect of that will be when the proper time comes.

Chairman.] We will deal with that when it arises.

Mr. *Moon.*] You have not mentioned the Sowerby Bridge end; I do not know whether you meant by that a pregnant silence or not.

Chairman.] We do not give you what you ask as regards that, we give five miles instead of four miles at the summit. Then there are the two Tables of tolls, we shall have to discuss them.

Mr. *Moon.*] We are in this position as regards that. We have an amendment as regards tolls; the Committee have decided on our amendment, as regards bonus mileage, that they will not give us quite what we ask; we are not able now to say exactly what the effect of the Committee's decision would be upon our position; if the effect of the Committee's decision is that practically it gives us what we are asking for we should not move the amendment as to tolls which we are proposing. The Committee will understand that the suggestion which was made by Mr. Pelham was made after our mouth was closed, after the witnesses were called, and therefore we have no means of ascertaining what the result of any such suggestion would be. If I might make a suggestion to the Committee, I would suggest that they should go on with the other amendments which are general, and allow us to postpone the consideration of the toll question till, perhaps, to-morrow, for two reasons. First of all in order to enable us to see our position as regards the Committee's decision and see what it is necessary for us to do with our amendment as regards tolls, and secondly, in order if possible that we may come to some arrangement with the Board of Trade as to the reduction of the figure proposed in the third column.

Chairman.] I think that is reasonable.

Mr. *Moon.*] Then the question of tolls will be postponed till to-morrow?

Chairman.] Yes. (To Mr. *Waghorn.*) Do you propose to go on with your Table?

Mr. *Waghorn.*] We have one matter of much greater importance, and if we are successful upon that we should say nothing about the tolls.

Mr. *Moon.*] Perhaps the whole question of the Tables had better be postponed?

Mr. *Waghorn.*] Yes.

Chairman (to Mr. *Waghorn*).] Then your Table will be postponed till to-morrow.

Mr. *Moon.*] Then we may go through the remaining amendments. The first amendment stands in the name of the Rochdale Canal Company. It is an amendment to line 10, page 5, on the first piece of amendments.

Chairman.] You say it is an amendment in line 10, on page 5. I see the first amendments in the name of the Rochdale Canal Company are on page 15 of the Bill.

Mr. *Pelham.*] If the Committee will turn to Section 7, Sub-sections 4 and 8 of the Bridgewater Bill they will see that those first two amendments have already been passed for the Bridgewater Canal, and I think the Committee may pass them here as applying to this canal as to all others.

Mr. *Moon.*] Very well. Then the third amendment you have before you arises upon Section 9. It is proposed to omit the words "or other person," in line 38, and in other lines in the clause. I do not think there is any opposition to this, because it was settled by the Joint Committee last year in the case of one canal company, the Leeds and Liverpool.

Earl of *Lauderdale.*] On what page of the Bill is that amendment proposed to be made?

Mr. *Pelham.*] Page 5 of the Bill, line 38.

Mr. *Moon.*] After the words "a trader or bye-trader" come the words "or other person." Of course, this is a schedule which deals with the relationship of the canal company and the traders upon it, and does not deal, or was not intended to deal, with the relationship of the canal company with, for instance, tenants of its property, cottage property, for instance, of which you have heard; I do not know how these words "or other person" came to be inserted; but I moved that they should be omitted in the case of the Leeds and Liverpool Canal Schedule last year, and it was assented to; and Mr. Boyle, on behalf of the Board of Trade, said at page 69 of the proceedings before the Joint Committee last year, "I shall not oppose it unless it is opposed by the traders. (*Chairman.*) I do not see whom it affects except the company themselves. (Sir *Courtenay Boyle.*) I do not think there is any person who should receive protection at the hands of the Committee who is not protected here, and therefore I think I am entitled to say that I see no reason why the Committee should not accept the amendment proposed by Mr. Moon." Therefore I think you may take that amendment without my arguing it; strike out "or other person."

Chairman.] Yes.

Mr. *Moon.*] Then the next amendment I withdraw; that is dealt with.

Mr. *Waghorn.*] Then the next one is an amendment proposed on behalf of the Lancashire and Cheshire Conference. When the Committee understand what it is we really want in this matter I am inclined to think they will be with me, for to me at any rate it seems to be reasonable. The evidence before the Committee has somewhat cleared the way. Our amendment is in general terms, but we now find that we do not require the amendment in quite so general terms as in the paper before the Committee. What we are really hurt by is not the minimum charge of 7*s.* 6*d.* on a boat which is loaded with 50 tons. The Honourable Mr. Pelham in speaking to the Committee upon the last amendment pointed out that these Schedules are practically drawn for boats conveying 40 and 50 tons. Upon such traffic as that it may very well be that 7*s.* 6*d.* is a fair minimum whether that is so or not my clients are not so much interested in that as they are in the case of traffic that would pass from the Ship Canal to all the narrow canals in the neighbourhood. I would like the Committee to look at the same plan they have already seen showing the course of the trade and the incidence of the toll we are referring to; by that plan the Committee will see the route for traffic passing from the Manchester Ship Canal and requiring to get on to the narrow canals. The Ashton Canal has branches to Stockport, to Hyde, to Oldham and other places, besides being the main route to Ashton and Stalybridge and places on the Huddersfield Canal; the route to these narrow canals passes over a mile and a-quarter of the Rochdale Canal. Mr. Dykes in giving his evidence in chief, or in cross-examination, admitted that the traffic that passed over that portion of the canal to the narrow canals was conveyed in boats which if loaded with cotton carried 10 tons, and which if loaded with grain or timber carried about 20 tons and consequently the incidence of this minimum boat-load clause which is provided for traffic passing in boat-loads of 40 and 50 tons is made to fall upon traffic that passes in boats conveying 10 and 20 tons only. For a 40-ton boat it may be a reasonable charge; for a 10-ton boat it is more or less prohibitory. The Committee will see by that plan that the traffic interchanged with the Ashton Canal brings its own water. We may have to go into that question, but Mr. Dykes practically admitted that at least the water is brought. We say the effect is a very great gain upon the water. I hope not to have to go into the question, but Mr. Dykes practically admitted that he did not lose any water. They are put, therefore, to no expense, yet they ask for 7*s.* 6*d.* to be charged upon the 10 and 20 tons traffic. As your Grace sees, it is a very complicated and difficult matter; but, if I throw out a suggestion that upon traffic passing to and from the Ashton Canal the minimum amount per boat-load should be half the sum put down there (that is, 3*s.* 9*d.* for a full boat, and 1*s.* 6*d.* for an empty boat), then we have made a suggestion that is perfectly fair and reasonable as between themselves and us, and such as I think the Committee might approve of, and my learned friend consider to be an equitable solution of the difficulty.

That is my opening speech, and I will pause to see whether there is any assent to it.

Chairman.] You propose to strike out 7*s.* 6*d.* and insert 5*s.*?

Mr. *Waghorn.*] Yes, 5*s.*; we put in that originally.

Chairman.] What do you put in now?

Mr. *Waghorn.*] We ask that on traffic passing to and from the Ashton Canal the minimum charge for a full boat should be 3*s.* 6*d.*, and the return upon an empty boat 1*s.* 6*d.*; that is half the charge allowed upon full traffic.

Chairman.] This is less than your amendment.

Mr. *Waghorn.*] Our amendment covered the whole traffic. We give up the amendment upon the broad traffic.

Chairman.] This is a new amendment altogether.

Mr. *Waghorn.*] I must, of course, argue my amendment.

Chairman.] You were given a certain day to put in your amendments, and your amendments have been put in, and your amendment is 5*s.* in place of 7*s.* 6*d.*

Mr. *Waghorn.*] And nothing for an empty boat.

Chairman.] We must deal with the matter regularly. Your amendment is to substitute 5*s.* for 7*s.* 6*d.*

Mr. *Waghorn.*] We put in our amendment line by line.

Chairman.] The question is whether 5*s.* is to be substituted for 7*s.* 6*d.*

Mr. *Waghorn.*] I submit that the Committee would like to deal with this matter in a reasonable

able manner. Here is the whole clause relating to a minimum boatload. I argue the whole clause.

Chairman.] You ask the Committee to allow you to bring forward an entirely new amendment.

Mr. *Waghorn.*] No, I do not ask to bring forward a new amendment. I am prepared to argue the amendment as it is; but what I am prepared to suggest upon behalf of my clients is an amendment that the Committee would accept rather than have the mass of evidence which it would be necessary to bring forward.

Chairman.] You do not argue that, substituting 3*s.* 6*d.* or 3*s.* 9*d.* for a full boat, and something else for an empty boat, is not a new amendment contrasted with 5*s.* in the place of 7*s.* 6*d.*?

Mr. *Waghorn.*] I do not suggest that it is not a new amendment.

Chairman.] We cannot go into a new amendment. The other side has not heard of it.

Mr. *Waghorn.*] It is not a matter requiring five minutes consideration; whether the same rate is to be allowed on narrow and broad boats does not require a moment's consideration.

Chairman.] That is for you to go into outside the room.

Mr. *Waghorn.*] Then I must call my witnesses.

Chairman.] If you can come to any agreement, well and good; but we cannot accept a new amendment altogether.

Mr. *Waghorn.*] I will go on with my amendments as they stand.

MR. CHARLES TIMOTHY BRADBURY, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Waghorn.*

3734. You reside at Ashton-under-Lyne, do you not?—I do.

3735. You are Managing Director of the firm of Messrs. John H. Gartside, Limited, Cotton Spinners and Manufacturers?—Yes.

3736. At Wellington Mills, Ashton-under-Lyne?—Yes.

3737. You have also some other works besides those, have you not?—Yes.

3738. For 12 years I believe you have been Chairman of the Ashton and District Spinners' Association?—Yes.

3739. And of the Manufacturers' Association?—Yes.

3740. How long have you been a cotton-spinner?—More than 40 years.

3741. How much cotton do you use in a week?—About 200 bales, or 40 tons' weight.

3742. And any yarn?—About 10 tons of bought yarn.

3743. How do you get your cotton at the present moment?—We get it through the Bridgewater branch of the Manchester Ship Canal, who carry it to Manchester, and then we cart part of it from Manchester with our own carts and horses, and part of it they bring up.

3744. Would it be a matter of convenience to you to have the cotton which you use conveyed by canal to your works?—Decidedly, if it could be conveyed cheaply in that way; but at present we can cart it for decidedly less than the tolls.

3745. Could you give the Committee some sort of idea as to how many cotton mills there are in the neighbourhood which could regularly receive their cotton by canal?—Cotton mills and other works about 50, on the line between Manchester and the Rochdale Canal, and going as far as Staleybridge.

Sir *William Houldsworth.*

3746. You mean on the side of the canal?—Yes, on the side of the canal; that could take the cotton direct into their own yards.

Mr. *Waghorn.*

3747. What does it cost you per ton per mile to get your cotton to your works?—Do you mean our own carting?

3748. Yes?—Threepence per ton per mile. We do our own carting.

Mr. *Spicer.*

3749. How many miles?—Six or seven miles.

Mr. *Waghorn.*

3750. What would you be willing to pay as the canal toll to get your traffic from Manchester to your works?—1*d.* per ton per mile; 1*s.* for the whole distance. That would be a sensible relief, and, no doubt, a great deal more traffic would be carried by canal than is carried now. Practically, there is none carried. The Bridgewater Branch of the Manchester Ship Canal prefer, though their warehouse is on the canal, and our mill is on the canal, to carry it by cart to our mill rather than by boat.

3751. Therefore anything like a toll of 1*s.* for seven or eight miles of canal would, in your judgment, bring traffic to the canal?—I think so.

3752. That would make the canal an available route?—Yes.

3753. Is there any return traffic? What amount of cotton cloth do you send in?—We send perhaps 50 tons of cloth.

3754. Per week?—Yes. We also send from our Buckton Works 100 tons a week, and receive the same quantity, and that is available by canal from the Huddersfield Canal. We used at one time to cart it that way, but now we have put a traction engine on the road which does it very much cheaper.

Cross-examined by Mr. *Moon.*

3755. Do you know what we are discussing?—I heard it said that it was a minimum charge.

Chairman.

3756. What is the minimum charge?—I do not know what the amount is, but the question before the

Chairman—continued.

the Committee was a minimum charge for the Rochdale Canal for a boatload of goods.

Mr. *Moon.*

3757. You do not know what the minimum charge proposed is?—Five shillings.

3758. You propose 5*s.*?—Yes.

3759. Is that what you mean?—I am proposing nothing myself. I say that is the result of our having our cotton on four canals between its arrival in Manchester and our mill. There is no cotton carried on the canal, scarcely any.

3760. You have never I suppose asked for a through toll, have you?—Personally, no.

3761. Do you know that you can ask for a through toll as a trader?—We do not carry on the canal ourselves.

3762. I know you do not, but you could ask for a through toll if you liked. Do you use your own carts or do the Bridgewater Company cart for you?—We use our own carts for part, and the Bridgewater cart the other part.

3763. How much do you get at a time?—Various quantities. We have told them that they could bring as much as 40 or 50 bales at a time.

3764. Forty bales would be 10 tons, would it not?—Forty bales would be eight tons.

3765. How often do you get eight tons of cotton at one time from the Bridgewater now?—I do not think we ever get it now at one time, because we have arranged to have it daily.

3766. They bring it to you in carts daily, how many bales?—About 18 or 20 bales in a lorry.

3767. They bring you that each day. Do they take back your cloh?—No, we carry our own cloth.

3768. You send your own cloth back?—Yes, and we carry a great deal of cotton, too.

3769. Then you use your own carts. I thought the Bridgewater Company carted for you?—They do, and we cart largely ourselves.

3770. You send your carts loaded with cloth and bring them back loaded with cotton bales?—Yes.

3771. How many bales does a cart bring out

Mr. *Moon*—continued.

which you send loaded with cloth?—About 14 bales.

3772. That is about two tons?—More.

3773. Three tons?—Yes, we bring rather over three tons; it would be more than that; it is 3 tons 8 cwt.

3774. Is it always the same class of cotton or do you mix your staple?—We use Egyptian and American cotton.

3775. Do you get it always from the same source, or do you get some from the Bridgewater warehouses and some from other warehouses?—As a rule we get it through the Bridgewater.

Re-examined by Mr. *Waghorn.*

3776. When you say you do not know what the Rochdale Company propose, all you are interested in is to have a toll from the ship to your mill?—Yes, that is so.

3777. You told the Committee that if the toll was 1*s.* per ton you could convey your goods by canal?—Yes.

Chairman.

3778. What do you propose by your amendment?—It is proposing, as I understand it, a minimum of 5*s.* That would only do part of the work; it is one canal out of four.

3779. You told the learned counsel that you would like your cotton conveyed for 1*s.* a ton on the canal?—For tolls.

3780. What is your amendment at 5*s.*; what does it work out at?—It would work out only to reduce it part of the way towards 1*s.*; it would not bring it to 1*s.* or anything like 1*s.*

3781. What would it bring it to?—I think it is about 2*s.* now, and it would reduce it about 3*d.*

3782. That is 1*s.* 9*d.*?—Yes.

Mr. *Waghorn.*] The Committee will remember that they have already reduced the toll on the Huddersfield Canal by 3*d.*

Chairman.] That is another matter altogether.

The Witness is directed to withdraw.

Mr. FREDERICK MORTON is recalled; and further Examined, as follows:

Mr. *Waghorn.*

3783. You have already given evidence before the Committee?—Yes.

3574. In the evidence which you before gave you put in plans and gave evidence of the water coming down from the Ashton Canal?—I did.

5785. You have, I believe, prepared some Tables showing the effect of this charge of 7*s.* 6*d.* and 3*s.* upon the traffic?—Yes.

3786. Will you kindly explain to the Committee, in respect of this Table, in a way you think the most convenient, the incidence of this charge?—I have prepared Tables showing how oppressively the rates act upon this traffic when minimum boatloads have to be paid for upon several canals as compared with the rates of conveyance in similar cases; because under Section 11 of this Bill, on page 6, there is a provision at the end of it, after stating for what distance

Mr. *Waghorn*—continued.

the company may charge, that "where merchandise is conveyed partly on the canal and partly on the canal of any other company, the canal and the canal of such other company shall, for the purpose of reckoning such short distance, be considered as one canal." And in effect these minimum boatload charges are the same as if they were short-distance charges, the effect is the same. So that I have prepared these Tables as making a comparison between the two. Taking the first one of pig iron from the Castlefield Lock of the Bridgewater Canal to works a short distance on the Ashton Canal, it will be seen on the left-hand side that a boatload, say 25 tons, which under Section 12 on page 6 it is provided the company may charge, there would apply to them for the conveyance rate 13*s.* 10*d.* per ton, while if I conveyed it in my

Mr. *Waghorn*—continued.

my boat as a bye-trader and paid tolls, travelling over the same canals, I should have to pay in tolls alone an amount of 18*s.* 4*d.* per ton, having so provided my own boat, my own horse, and my own men. I have made similar comparisons for two or three other instances, and if the Committee would like me to explain those I will do so. In the second one, which is timber, the Bridgewater Company, that is the Ship Canal Company, have a wharf on the Rochdale Canal at Minshall-street, and there is also a yard there, and if they had to convey from this wharf at Minshall-street 10 tons of timber to the yard at Fairfield, on the Ashton Canal, they would receive in like manner 18*s.* 6*d.* for the conveyance, while I should have to pay in tolls 19*s.* I do not know whether you would care for me to go through the other figures?

Mr. *Waghorn*—continued.

3787. No, I do not think you need trouble about them?—

Mr. *Spicer.*

3788. Rags are more in your favour?—Yes, and the others are rather more in my favour.

Mr. *Waghorn.*

3789. What you wish to convey to the Committee is, that if either the Bridgewater Canal as carriers or the Rochdale Company as carriers are bound to carry the traffic you mentioned at 13*s.* 10*d.*, it is impossible for you to compete if you have to pay the 18*s.* 4*d.*?—Yes.

3790. And if they are bound to convey timber for 18*s.* 6*d.* you cannot compete if you pay 19*s.* tolls?—That is so.

[*The following Tables are delivered in:*—]

PIG IRON.

Messrs. FELLOWS, MORTON & CLAYTON, Railway and Canal Carriers.

COMPARISON between the RATES of CONVEYANCE and the TOLLS charged to a BYE-TRADER for short distances on Two or more CANALS.

Ten Tons of Pig Iron (Class B.,) from Castlefield (Bridgewater Canal) to Ironworks, Ancoats, half-a-mile on the Ashton Canal.

	CONVEYANCE RATE.	*s.*	*d.*
See Secs. 11 & 12 of Provisional Order Bill (No. 2). The tolls to be paid would be 16*s.* 6*d.*	Boatload (say 25 tons), 4½ miles at 1·20*d.** per ton per mile - - - -	11	4
	Station terminal (one) 10 tons at 3*d.* -	2	6
	* If Rochdale Canal rate of 1·25*d.* is charged for 2½ miles on that canal, it increases the total charge by 6*d.*		
		13	10

	TOLLS, &c.	*s.*	*d.*
	Bridgewater Canal, 10 tons as 1 mile at ·70*d.* - -	-	7
	Rochdale Canal (minimum) - - - - -	7	6
	Ditto (light boat) - - - - -	3	-
	Ashton Canal (minimum) - - - - - -	3	-
	Ditto (light boat) - - - - - -	3	-
	Wharfage, 10 tons at 1½*d.* - - - - -	1	3
	Exclusive of boat, horse and men - - -	18	4

TIMBER.

Ten Tons of Timber from Ship Canal Company's Wharf, Minshall Street, on the Rochdale Canal, to Timber Yard at Fairfield, 3 miles 48 chains on the Ashton Canal.

	CONVEYANCE RATE.	*s.*	*d.*
	Boatload (say 18 tons), 4½ miles, 1·75*d.**	11	10
The tolls to be paid would be 16*s.* 6*d.*	Terminal (one) 10 tons at 8*d.* - -	6	8
	* This is the Rochdale Company's rate.		
		18	6

	TOLLS, &c.	*s.*	*d.*
	Rochdale Canal (minimum) - - - - - -	7	6
	Ditto (light boat) - - - - - -	3	-
	Ashton Canal (minimum) - - - - - -	3	-
	Ditto (light boat) - - - - - -	3	-
	Wharfage, 10 tons at 3*d.* - - - - -	2	6
	Exclusive of boat, horse, or men - - -	19	-

CHINA CLAY.

Ten Tons of China Clay (Class B.) from Castlefield (Bridgewater Canal) to Dale Street Wharf, on the Rochdale Canal.

	Conveyance Rate.	s.	d.
	Boatload (say 40 tons), 3 miles at 1·20*d.* per ton per mile - - - -	12	–
The tolls to be paid would be 10*s.* 6*d.*	Station terminals (two), 10 tons at 6*d.* -	5	–
		17	–

	Tolls, &c.	s.	d.
	Bridgewater Canal, 10 tons as 1 mile at 0·70*d.* - - -	–	7
	Rochdale Canal (minimum) - - - - - -	7	6
	Ditto (light boat) - - - - - -	3	–
	Wharfage at each end, 10 tons at 3*d.* - - - -	2	6
	Exclusive of boat, horse, and men - - -	13	7

RAGS.

Ten Tons of Rags (press-packed) (Class C.) from Water Street (Mersey and Irwell Navigation) to Union Street, 1¾ mile on the Rochdale Canal.

	Conveyance Rate.	£	s.	d.
	Boatload (say 30 tons), 4½ miles, 1·65*d.* per ton per mile - -	–	18	7
The tolls to be paid would be 10*s.* 6*d.*	Stational terminal (one) 10 tons at 8*d.* - - - - - - -	–	6	8
		£1	5	3

	Tolls, &c.	£.	s.	d.
	Bridgewater Canal, including Mersey and Irwell Navigation (minimum) - - - - - -	–	5	–
	Rochdale Canal (minimum) - - - - - -	–	7	6
	Ditto (empty boat) - - - - - -	–	3	–
	Wharfage, 10 tons at 3*d.* - - - - - -	–	2	6
	Exclusive of boat, horse, or men - - -	£–	18	0

Cross-examined by Mr. *Moon.*

3791. You know that the Rochdale Canal Company have given it in evidence that they do not carry on the Ashton Canal?—Yes.

3792. So that this comparison of tolls and conveyance rates does not apply to the Rochdale Canal Company?—It applies most distinctly to the Rochdale Canal Company as affecting this Schedule.

3793. Inasmuch as the Rochdale Canal Company do not go to Ancoats, I do not see how the comparison can affect them?—The tolls, I said.

3794. I have no doubt that the Rochdale Canal Company will not convey?—No; but the conveyance rates are provided in this Bill, and there is distinctly a clause, which is Clause 24 on page 9, which says that "any canal company (other than the company) conveying merchandise over the canal, or performing any of the services for which rates or charges are authorised by this Schedule, shall be entitled to charge and make the same rates and charges as the company are by this Schedule authorised to charge and make."

3795. That is to say, if anybody conveyed traffic upon our canal there would be 1·10*d.*, and not 1·20*d.*, as you put down?—I do not follow that.

Mr. *Moon*—continued.

3796. I speak of the Board of Trade conveyance rate at 1*s.* 10*d.*?—On which class is that? I have given the rates correctly.

3797. You are quite right; I withdraw it; what really is the good of this; because does any traffic go from Castlefield to the Ashton Canal?—Undoubtedly traffic is likely to go.

3798. How far is it?—I have given the distance.

3799. You said half-a-mile on the Ashton Canal; is it a mile altogether?—Yes; it is a mile and a-quarter up to Ducie-street.

3800. Will any trader load into a barge and out of a barge by cart to his premises when the total distance is only two miles?—I will give a case illustrating what I mean.

Chairman.

3801. First answer the question?—My answer is, yes, and I will give an illustration. It is a very common practice for pig-iron to be sent from Scotland in schooners of from 400 to 500 tons, and for that iron to be delivered out as the consignee may direct to various traders, and it is conceivable that this traffic, coming by the Ship Canal, may be deposited at Castlefield at the lock there, to order. Then, when it is sold, the

Bridgewater

Chairman—continued.

Bridgewater company would receive instructions to convey to this or that man a certain weight, and it would go frequently in parcels of 10 tons; so that the instance I have taken may happen any day.

3802. Quite conceivable, but not very probable?—It is very probable indeed.

3803. We are here to discuss the question of the minimum boat charge?—Yes.

3804. Will you please tell me why you think the minimum boat charge should not be 7*s.* 6*d.*?—The Table itself gives a very excellent reason. The minimum boat charge of 7*s.* 6*d.* and 3*s.* for a light boat returning would be 10*s.* 6*d.*; therefore the toll on the Rochdale Canal alone would be almost as much as the conveyance rate.

3805. Now come to this. You carry cotton to Staleybridge?—I can carry cotton to Staleybridge.

3806. You do not carry it?—I have not done so. I am anxious to do so.

3807. How much do you carry in a boat?—It would be something like 11 or 12 tons, that has been given in evidence before.

3808. The rate upon that would be what, taking 10 tons. Is cotton in Class C.?—No. Cotton is in Class I.

3809. The toll would be 1·25*d.* multiplied by 10, would it not; that would be 1*s.* -½*d.*?—Yes.

3810. That is the toll upon a boat-load of traffic going up?—If carried at the tonnage rate, or rather if charged at the tonnage rate.

3811. It is a mile and-a-quarter to the Ashton Junction?—Yes.

3812. You have to multiply it by three, so that it is three and three quarter miles?—Yes.

3813. What would it be altogether?—About 3*s.* 9*d.*

3814. So that you would be charged for your cotton, 3*s.* 10*d.*?—No. I should be charged 10*s.* 6*d.*

3815. Apart from the minimum boat-toll you would be charged on mileage, 3*s.* 10*d.*?—I thought it was the minimum boat-load toll we were discussing.

3816. Do you admit that the charge would be, apart from the mileage toll, 3*s.* 10*d.*?—You are about right; that is about the amount.

3817. Take a boat-load of coal going up, it would take 30 tons, would it not?—No, I do not think the coal boats take as much as that.

3818. Very nearly 30 tons?—Not more than 25 tons.

3819. If we take it at 30 tons, it would be easy to multiply; 30 tons at 1*d.* per ton per mile multiplied by 3*d.* comes to 90*d.*, 7*s.* 6*d.*?—The boats will not take 30 tons.

3820. A boat of coal would go up this canal and pay 7*s.* 6*d.* in mileage tolls, and you want to get your cotton off at 5*s.*, which is a much more expensive article?—I have given you the result of this comparison. I say if the conveyance rate is a fair one, and on that conveyance rate the charge would be 13*s.* 10*d.* for this, it is extremely unfair to me that I should be saddled with a toll of 18*s.* 4*d.* upon the same thing.

3821. We have nothing to do with the conveyance rate now. If a boat of coal going up our canal has to pay 7*s.* 6*d.* on mileage toll, I want to know why you, if you take a boat-load of cotton up and use the same accommodation and the same amount of water, should pay less?—I am not satisfied, though not interested in coal, with the toll upon coal. I am much dissatisfied that I cannot carry the cotton because the tolls are so high.

Chairman—continued.

3822. Give the reason why cotton should use the same accommodation and the same water, and pay less than coal per boat-load?—I have no reason to give you.

3823. As a matter of fact, the 7*s.* 6*d.* minimum only applies where you choose to take one boat up our broad locks; at the same time it applies if you divide the 7*s.* 6*d.* into two boats; if you take two boats up at the same time?—It is so.

3824. So that as regards one boat, your narrow boat, the minimum toll, if you choose to work them in pairs, is not 7*s.* 6*d.*, but 3*s.* 9*d.*?—And with a return boat 3*s.*

3825. Do it one at a time?—It would make 5*s.* 3*d.*

Chairman.] Go by steps; it is much easier to understand.

Mr. *Moon.*

3826. It is 3*s.* 9*d.* if you work your boats up in pairs?—Three shillings and ninepence per boat.

3827. As a matter of fact, most of your traffic goes in single boats, and you do not choose to work them in pairs?—The traffic is not sufficiently large to fill two boats at present, neither is it likely to be if the tolls remain.

3828. Your proposition is that your single boat of cotton is never to pay more than 5*s.*, though two boat-loads of coal may use the same accommodation and pay 15*s.*?—I do not think it is a fair comparison; I do not think they would pay 15*s.* at all.

Mr. *Waghorn* states that he has nothing to ask the Witness.

The Witness is directed to withdraw.

Mr. *Waghorn.*] This clause by which 7*s.* 6*d.* is to be charged as a minimum toll for a boat-load of traffic passing to the Ashton Canal, practically so far as that traffic is concerned, we proposed that that minimum charge of five miles which the Committee have not allowed, twenty tons of traffic being charged that minimum of five miles at 1¼*d.* per ton which the Board of Trade now propose, comes to 6¼*d.* per ton, that is 10*s.* 5*d.* a boat. They are now asking 10*s.* 6*d.* a boat, because I argue the whole of the clause as one. This company asks for 7*s.* 6*d.* as a minimum upon a full boat and 3*s.* upon a return; that is, 10*s.* 6*d.* upon the boat; because evidence has been given to you that in this short-distance traffic the boat as a rule has to return empty. They ask 3*s.* 9*d.*, but it is 3*s.* that the Board of Trade propose. Now, your Grace, it has been already shown to you that the traffic comes down from the Ashton Canal and a large quantity of water is gained by the traffic coming down. I said that in my opening remarks, and I will not repeat it. But

I wish to call attention to the discontent and difference of understanding that may have arisen between Mr. Dykes and myself. The Rochdale Canal Company have put in a plan of the canal showing that the Ashton Canal locks down into what they call a pool, practically into their Dale-street basin. We, in taking out the estimate of the water that was brought down by the Ashton Canal, took the whole of the traffic that came, because the water comes down into the basin, and this basin forms a continuation of the Rochdale Canal; the whole water comes down into that basin and they have it. Mr. Dykes put in his calculation as he told you and takes no account of any traffic coming further than the Ashton terminus. But though the traffic stops at the Ashton terminus the water goes on; that is to say, the whole of the water which comes down from every branch and every section of the Ashton Canal, comes down from the Peak Forest and Huddersfield. The whole of the traffic travelling upon the summit of these narrow canals brings water with it into Manchester and hands it over to the Rochdale Canal at their Dale-street Basin; and they are not put to a farthing expense for water in respect of the whole of this traffic. Your Grace has heard enough as to why this minimum boat-load should be charged, to be perfectly familiar with the fact that the very basis of it is the value to the canal company of the water that is wasted. There has not been so much argument about it here, because it is assumed as a tacit assumption by everybody that when water is lost in a lock it ought to be paid for. I may venture to recall the evidence given before the Committee in settling the Leeds and Liverpool Schedule; it was there based upon the value to the water to the company who had to provide it; here the value is nothing. It has been more or less taken as granted that in a broad lock of water 5*s.* is the value of a lock of water. It is a sort of tacit assumption that has guided the Committee in the 10 Schedules laid before them. They have passed 10 Schedules and have allowed 5*s.* for a broad lock of water and 2*s.* 6*d.* for a narrow lock of water. Both sides have taken it for granted that that is a fair amount, and that it is fair to allow that amount when water is wasted. There is only one instance in which any argument was laid before the Committee upon this matter of water, and that was the case of the Huddersfield Canal. In the case of the Huddersfield Canal they asked for 5*s.* for a narrow lock of water; the Committee reduced it to 2*s.* 6*d.* What Mr. Dykes pointed out to you was this: that when water comes down from the Ashton Canal and a single boat comes, they lose a double lock of water with that single boat, that is to say, they lose the amount of water which you allowed in the Huddersfield case at 2*s.* 6*d.* Here is a certain volume of water which the Rochdale Company say they lose; the Huddersfield Company provide the water. The Committee allow them 2*s.* 6*d.* for it, and the Rochdale Company, though the Huddersfield Company have provided it, ask 10*s.* 6*d.* for that water. They propose to charge 7*s.* 6*d.* for a full boat and 3*s.* for an empty boat for the water supplied by the Huddersfield Company, and for which this Committee have allowed 2*s.* 6*d.* They say that when the boat comes down singly they lose half a lock of water. The witness before you has pointed out the large quantity of traffic that passes upon that canal. Mr. Bradbury told you of his own traffic, which amounts to 100 tons of traffic a week, which at a reasonable toll would be conveyed upon the canal; and he tells you that there are 50 firms of manufacturers and cotton spinners upon the banks of the canal who would be perfectly willing to have their traffic by the canal if a reasonable toll was charged. The Committee have regulated the toll upon the Huddersfield, the Ashton, and the Bridgewater Canals, and the result is that whatever is saved by the labours of the Committee upon these other canals is to go into the pockets of the Rochdale Company. They are to make a charge of 10*s.* for a lock when other companies have to put up with 5*s.* and 2*s.* 6*d.* It has been suggested that no benefit would be derived by the Rochdale Company by an increase of traffic, but Mr. Collier told you it is possible to take more traffic, because he pointed out to you the incontestable fact that traffic is occasionally stopped on the Rochdale Canal and goes on alternate days; they can carry two days' traffic in one; and according to that evidence they can double their traffic. Here the witness says there is an amazing amount of traffic to go if you provide reasonable tolls for it. There is no difficulty in the canal company carrying it, and I submit that the Committee would be doing a serious injury to the traffic of the district in imposing a bar-toll upon all traffic passing from Manchester to every one of these narrow-gauge locks if they passed such an amount upon the narrow-gauge traffic as the Board of Trade suggest is fairly chargeable on boatloads of 40 and 50 tons. Upon the assumption that that was what the Board of Trade had done, we think the 7*s.* 6*d.* toll might be a fair one; but it ought not to be a mile and a-half for traffic going on to the narrow-gauge canals.

Mr. *Moon.*] I will call Mr. Dykes.

Mr. ROBERT CHARLES DYKES, called again; and Examined, as follows:

Mr. *Moon.*

3829. You have given a great deal of evidence already as regards water supply and cost of water. Let us deal with the Ashton traffic; a portion of it comes into your canal and goes along the canal to Brownsfield Lock?—Yes.

3830. Take the case of a narrow boat coming by itself up the Ashton Canal and up to Brownsfield Lock, what happens to you in that case?—We get no water in that case for working the boat; we have to draw a lock of water to work it from reservoirs 18 miles off.

Mr. *Moon*—continued.

3831. Some water comes down from the Ashton Canal with the boat?—Yes.

3832. What becomes of that water?—It passes in

Mr. *Moon*—continued.

in waste, running down the declivity to the Bridgewater Canal.

3833. When you say you get no water, you mean you get no serviceable water?—There is no water lockage; it does no good at all.

3834. If your pound is full and a boat comes from the Ashton Canal, the lock of water that is brought down from the Ashton Canal would run over?—Yes.

3835. Is it necessary for you as regards even Ashton Canal traffic to have a power of this kind in order to prevent the indiscriminate use of your water by traders?—I think so.

3836. Your having a power of this kind would make traders more inclined to use your canal with full boats than with partially-loaded ones?—I think so.

3837. Unless you had a minimum power of the kind would it be open to traders to take small amounts through your lock upon which you would only get the tonnage charge?—Yes.

3838. What have you to say as regards Mr. Morton's Tables?—I have listened to what Mr. Morton has said with regard to those Tables and I have examined them. Taking first his 10 tons of pig iron from Castlefield to Ancoats, I do not think a man who wanted to send 10 tons of iron between those two points would employ the canal; he would effect the delivery in half the time and at much less cost by cart.

3839. Have you ever had an application for a toll of the kind?—Never.

Chairman.

3840. What is the distance?—One and three-quarter miles. It involves loading the boat, taking it up the locks, and delivery at that place. I think cartage would be done in half the time, and probably at half the cost.

Mr. *Moon.*

3841. If you charged 7*s.* 6*d.* upon that traffic you would not get the traffic?—No.

3842. You would have to consider each case upon its merits where an application was made to you for a toll?—Yes. That is dealing with pig iron.

Chairman.

3843. Would that mean two loadings and two unloadings?—No; I assume it would go from Castlefield direct to its destination on the canal.

3844. If it went by canal it must be taken from somewhere into the canal?—I assume this is intended for ironworks alongside the canal. Obviously there would be an access by road to those works, and the pig-iron could be carted at very much less than it would be carried by canal. Then on timber the proposition is to carry 10 tons of timber from the Manchester Ship Canal Company's wharf at Minshull street, which is a mile up our canal, at the bottom, to a point on the Ashton Canal, Fairfield, 3½ miles. I do not think that traffic would be likely to go by canal. It does not seem to me a reasonable proposition. The timber would come either from Liverpool, or in the case of the Manchester Ship Canal Company, from the Docks. I do not understand how timber intended for such a place as Fairfield could be taken a mile away from the Docks and

Chairman—continued.

break bulk there, be put on the wharf, and afterwards taken by canal to this other point, apart from the cheapness of carting it and the saving of time. Then again the Minshull-street Wharf is the traffic depôt of the Manchester Ship Canal, that is to say, of the Bridgewater Navigation; it is not a dealers' wharf at all. I do not think such a traffic would be likely to be taken to such a place for the purpose of distribution.

Mr. *Moon.*

3845. Do you say those are impossible cases?—I think they are very extraordinhry cases. And another thing, there is a charge put on for wharfage: both of those are private wharves, and the charge would not come in.

3846. On this timber Table there is 2*s.* 6*d.* added for wharfage?—Yes. It is assumed that this minimum load of 10 tons should bear the cost of its conveyance, and also the bringing back of the boat empty.

3847. Mr. Morton has taken everything at the highest power you have got; he has taken 7*s.* 6*d.*, and your light boats at 3*s.*, and he assumes that he is going to bring his boat back empty, for the purpose of running up the total toll?—It seems so.

3848. Does Mr. Morton's traffic pass along your locks in single boats, or do they go in pairs?—To a very large extent they go singly.

Cross-examined by Mr. *Waghorn.*

3849. When the boat goes singly there is no reason why it should not wait a moment for a boat to go through with it; you can keep a boat waiting?—We cannot, but Mr. Morton might.

3850. You say no timber is conveyed in the manner we suggest. Cotton is conveyed?—Cotton might be conveyed. I am dealing with the Table.

3851. Cotton actually goes?—Not between those places.

Chairman.] He was dissecting these Tables put in by Mr. Morton.

Mr. *Waghorn.*

3852. My witness dealt with the question of timber; but does not cotton travel between those places?—Not between those points.

3853. Then, referring to this pig-iron, you said this pig-iron could be conveyed four and a-half miles by road at 1*s.* 4½*d.*?—No, not four and a-half miles; this is only a transit of under two miles.

3854. You say it could be conveyed two miles at 1*s.* 4½*d.*?—Yes.

3855. Are you aware what the rates of cartage in Manchester are?—I do not carry the cartage tariff in my head, but I should prefer to send this consignment by cart rather than sending it by boat.

3856. You say some minimum charge is required to prevent waste of water. Would not 5*s.* be sufficient to prevent people going light-loaded?—Looking at this particular section of the canal, I have explained what the structural character is, and the difficulty of maintaining it; and in addition to that there is the consideration,

Mr. *Waghorn*—continued.

and a very important one, that 839*l.* per annum is payable out of that particular section as annual chief-rent.

3857. You suggest to the Committee that a charge is necessary, otherwise boats would go light loaded. I ask you whether a toll of 5*s.* would not be sufficient to prevent boats going light loaded and abusing your canal?—I do not think it would. My view of the thing is influenced by the fact that we believe that 5*s.* would not compensate us for the actual cost of the water. In addition to that you are working over the most expensive portion of the system. Water is not the only factor; you must pay some attention to the fact of the expensive navigation, and something must be paid into the stock-pot to pay for the original cost of construction and for maintenance.

3858. Do you use water at your Dale-street premises for working your hydraulic machinery?—We use water there in this sense; the fall of the overflow weir between that lock and the one below is utilised in its fall for working a wheel; in no other sense. There is no consumption of water; it is merely utilising the fall between one lock and the other.

3859. There is a large quantity of water coming down the Ashton Canal with the traffic that stops at their Ducie-street Basin, and which flows into your Dale-street Basin?—There is some.

Sir *William Houldsworth.*

3860. With regard to compensation for the loss of water, you referred just now to a number of considerations, such as maintenance and so on. Would 5*s.* cover the cost of water only?—It would not. In the endeavours we have made to get at the actual cost of the water, we have been met with this difficulty: In the early days the bookkeeping was not up to date; we did not distinguish in the bookkeeping between the cost of the reservoirs and the cost of the general undertaking. We cannot divide the structural cost of the water supply from the reservoirs, from that of the concern as a whole; but by the best estimate, I cannot think that it cost a farthing less than 7*s.* 6*d.* a lock. I find from records in the office that engineers in 1851 estimated it at 8*s.* 11*d.* a lock. I give you that as a matter of history from what I find in the office.

3861. That would include interest upon the original cost of the reservoir?—Yes.

Mr. *Young.*

3862. Has any general dissatisfaction been expressed with your charges?—I have heard more dissatisfaction here than anywhere else.

Mr. *Moon.*] I should like in the first instance to point to the amendment on the paper of my learned friend, and I want the Committee to realize that his amendment, though in form general is really directed, as the argument was directed, only to traffic exchanged between the Ashton Canal and the Bridgewater Canal. The amendment stands in the name of the Lancashire and Cheshire Conference and Messrs. Fellows, Morton and Company, and Mr. Morton has given evidence. The whole of his evidence, and the whole of the Tables he put in, related to traffic exchanged between the Ashton Canal and the Rochdale. There has been no evidence given that as regards the use of water on any other part of the canal, or the use of locks on any other part of the canal, the minimum should be less than 7*s.* 6*d.* The Calder and Hebble and the Mining Association, who were represented here on other points, have not put in an amendment saying that 7*s.* 6*d.* is too much for us to charge for the lockage upon this canal, whatever it may be upon other canals. Those opponents do not say that 7*s.* 6*d.* is too much to charge for a lock of water, obtaining it as we do at very great expense.

Sir *William Houldsworth.*] You say the Mining Association, do you not?

Mr. *Moon.*] The Mining Association do not put in an amendment.

Sir *William Houldsworth.*] There is an amendment of theirs on page 2.

Mr. *Moon.*] I beg pardon; I had not noticed that. I assumed from Mr. Balfour Browne not being here that they were not proposing to move that amendment, because they cannot move it unless they move it now; I may take it that though they have put it upon the paper they do not move it. Our present powers are more than the Board of Trade propose to give us. Our present powers were handed in yesterday. Our present powers are to charge for 20 tons in a boat when the water does not flow over the waste weir, and when the water does flow over the waste weir to charge for 15 tons. So our present powers are greater than the minimum toll which the Board of Trade propose. But my learned friend has put this min mum application of ours solely upon the question of water. He has said that the minimum toll is based solely upon what the expense is of our providing water. That is not the way I put the case before the Committee. I say in relation to this particular traffic exchanged between the Ashton Canal and the Rochdale Canal that the traders not only use water, but use a most expensive part of our premises; and for that reason, if a man comes with a half empty boat, we are entitled to ask that we should have a minimum toll of a reasonable kind, having regard to the value of the accommodation he makes use of; and it seems to me a most extraordinary thing that Mr. Morton should come here and ask that his boat-load of cotton should pay less for the use of the same accommodation and the same water than would be paid by a boat-load of coal; because if you assume that a boat-load of coal only consists of 25 tons you will find that that comes to 6*s.* 3*d.*; and the Schedule provides that "if two narrow boats (whether carrying cargo or empty) capable of passing through a lock alongside one another, pass through a lock at the same time, they shall be reckoned for the purposes of this section as one boat;" so if a couple of coal boats pass through this portion of the canal they are charged at 12*s.* 6*d.*, and Mr. Morton wants, in the case of his boat-load of cotton, never to be charged more than 5*s.*, though, of course, cotton will bear a much higher toll than coal. And, as regards those particular instances that Mr. Morton has put in, no application has ever been made by Mr. Morton

Morton for a through toll in respect of those articles. No doubt if Mr. Morton came to Mr. Dykes and showed that by allowing a through toll for traffic going to Ancoats, or going some miles and furlongs along the Ashton Canal the result would be that the traffic would be taken off the roads and would be put upon the canal, Mr. Dykes would only be too glad to meet him, but at present, for short distance traffic going from warehouse to works, and in small quantities at a time, there is a great advantage in carting your goods, because you get your goods as you want them, and you get the advantage of back carriage. Everybody knows that in Manchester a great deal of carting of cotton is done in that way; cotton goes to a mill and the carter gets a back carriage of cloth. But then you must remember he gets it in small quantities at a time, two, three, and four tons at a time, not the quantity that he would get by the canal; if he did dream of getting it by canal, it would be a great hardship upon the canal company that he should get it unless they are allowed a minimum toll. If they are allowed to charge upon the quantity in the boat the trade would be getting four tons at the expense of the canal company without proper payment for the accommodation therefor. In this case, as in other cases, I will remind the Committee that this is a question of through tolls. The Railway Commissioners have a perfect right to decide that even if a canal company has power to make a minimum toll of this kind in any particular case, that power should not be exercised. On this I might read to the Committee the particular section, it is this: "Subject to the provisions in the last preceding section contained, the Commissioners shall have full power to decide that any proposed through rate is just and reasonable, notwithstanding that a less amount may be allotted to any forwarding company out of such through rate than the maximum rate such company is entitled to charge and to allow, and apportion such through rate accordingly." Therefore, as regards all that through traffic, the section is not to protect the traders by fixing the maximum tolls as regards the through traffic, but the protection is the protection he got from the general legislation in the Act of 1888.

Mr. *Waghorn.*] May I deal with all the amendments relating to this one section?

Chairman.] We are dealing with "leave out the words seven shillings and sixpence, and insert five shillings."

Mr. *Waghorn.*] Line 1, Section 1, Mr. Moon has been dealing with the end of the section as well as with the beginning. I propose to deal with the whole section at once.

Sir *William Houldsworth.*] Which is the other part of the section that you propose to deal with?

Mr. *Waghorn.*] Page 15. The special section there is practically their own section.

Chairman.] You say you want to call attention to another amendment; what is it?

Mr. *Waghorn.*] Page 15, after line 41, add "Provided also that the tolls and charges in this section mentioned shall not become payable in respect of a boat received from or passing on to the canal of another company at a higher level." That is on page 2 of the collated amendments.

Chairman.] We must deal with each amendment as it comes before us; we cannot mix them up. The amendment that we have now under our consideration is to omit "seven shillings and sixpence" and insert "five shillings."

Mr. *Waghorn.*] I thought it would be convenient to take them all together.

Chairman.] No. I should think it very inconvenient.

Mr. *Pelham.*] I think the Committee understand that this is a minimum toll and it only applies to the short-distance traffic. It is impossible to fix a minimum toll which if taken with other minimum tolls upon other canals would not make a very excessive sum. It is impossible to fix anything that would fit such traffic, it must be settled as a through toll as Mr. Moon has pointed out.

The Committee deliberate.

Chairman.] We reject the amendment.

Mr. *Pelham.*] The Mining Association amendments are not pressed.

Chairman.] None of them?

Mr. *Pelham.*] I think not.

Mr. *Whitehead.*] Mr. Balfour Browne represents the Mining Association.

Chairman.] He is not here. We, therefore, strike them out. Now we come to the Rochdale Canal Company's amendment.

Mr. *Moon.*] That is to substitute 15*s.* for 10*s.* for the summit pool. What I have to say is this: Seven shillings and sixpence is for a lock, and there are two locks at the summit pool: therefore naturally you double the lockage in order to give us the minimum for the summit pool. That was what was done in the Leeds and Liverpool case; they got 5*s.* for their lockage. and for each of the summit pools they were entitled to charge 10*s.*, and the Board of Trade have taken the 10*s.* from the Leeds and Liverpool Schedule without taking into consideration that we are to have 10*s.* minimum toll for one lock.

Chairman.] Nobody opposes it?

Mr. *Waghorn.*] We oppose it, your Grace What I suggest to your Grace is that what the Board of Trade has allowed is ample. I took it for granted that your Grace would think the traders objected to it.

Mr. *Pelham.*] Our answer is that there is exceedingly little traffic upon the top to which the minimum toll would apply; it does not make much difference. There is very little traffic at the summit going a short distance; it is sure to go a pretty long lead. The Board of Trade thought 10*s.* enough.

Chairman.] Do you think 10*s.* is too much.

Mr. *Pelham.*] The Board of Trade thought 10*s.* was enough. I cannot say any more.

Chairman.] We will adhere to the 10*s.* Now the Lancashire and Cheshire Conference's amendment.

Mr. *Waghorn.*] Your Grace has practically

decided the question against me, and I do not propose to argue it any more.

Chairman.] Then we come to the Rochdale Canal Company's Amendment.

Mr. *Moon.*] That is consequential, the same as before.

Chairman.] Page 15, after line 41, add: "Provided also that the tolls and charges in the section mentioned shall not become payable in respect of a boat received from or passing on to a canal of another company at a higher level."

Mr. *Waghorn.*] I should be pressing upon the courtesy of the Committee if I argued the point. I suggest that no water is lost; it is an absolute gain of water to the canal, and I suggest that they ought not to have the charges allowed when no water is lost, but my arguments, to my intense regret, have no weight with the Committee and I do not repeat them.

Chairman.] Then comes the Calder and Hebble Amendment.

Mr. *Carr.*] We do not press that amendment. We are not specially interested in the amendment, and we intend to reserve ourselves for our amendment on the tolls.

Chairman.] Then comes the Rochdale Canal Company's Amendment again.

Mr. *Moon.*] I move the three amendments. They were moved in the Bridgewater case, and I need not repeat the matter now.

Sir *William Houldsworth.*] Are they quite consequential?

Mr. *Moon.*] They are similar amendments, and are consequential. The middle one is consequential. The first is to omit "sixpence" and put in "eightpence" for the station terminal for Class C. traffic. If the Committee desire it I will call Mr. Dykes. This was given to the Bridgewater Canal Company.

Mr. *Waghorn.*] We do not oppose it.

Mr. *Whitehead.*] Will your Grace let me have a moment to consult my clients? (*After an interval.*) I am instructed to oppose the amendment.

MR. ROBERT CHARLES DYKES, is re-called; and further Examined, as follows:—

Mr. *Moon.*

3863. YOU propose by your amendment in the case of articles in Class C., where you are the carriers and not the toll-takers, to charge 8*d.* instead of 6*d.* for your station terminal?—Yes.

3864. Will you tell the Committee on what ground you ask for power to charge 8*d.* for station terminal instead of 6*d.* as proposed?—The accommodation which we provide is of the most expensive character. The warehouses and the terminal accommodation are equal to those provided by the railways in the towns where we compete; they are in the centre of the towns, in each case occupying the most costly sites, and we only ask two-thirds of what has been allowed and given in the case of the railways for absolutely identical accommodation. We do not get any cheaper work done for us, and I am certain that the figure we ask for will not more than cover, if it does cover, a fair return for the structural cost and the maintenance; the clerkage is in addition to the structural cost and maintenance, and I am sure the figure is a very moderate one indeed.

3865. Is the accommodation that you afford of the same class as the Bridgewater Company afford?—Yes, and a good deal of it more modern.

Cross-examined by Mr. *Whitehead.*

3866. Have you worked out in detail what difference the twopence extra that you ask will make in your revenue?—I do not think that I have in the sense that you put the question.

3867. How much traffic would be subject to the extra twopence?—The bulk of what we carry.

3868. Fifty thousand tons a year?—Last year we carried 125,000 tons.

3869. Twopence extra upon that?—Yes.

3870. How much would be in Class C.; would

Mr. *Whitehead*—continued.

a large proportion be in Class C.?—Yes; the entire traffic that we carry is practically in Class C. and Classes 1, 2, and 3. I should say at least half of it would be in Class C.

3871. This makes a difference of several hundreds a year?—It is a considerable sum to us.

3872. Have you worked out what you would get for the 6*d.* on that traffic on Class C.?—I have worked it out. I have not the figures with me now, and I do not carry them in mind.

3873. Have you worked out what the cost is to yourselves of the accommodation that you provide?—The difficulty I am met with is precisely what I explained in the case of the reservoirs. The whole structural cost was put into stock-pot, and we cannot subdivide it; but in the last 15 or 16 years we have spent at least 30,000*l.* in new and approved accommodation of this character.

3874. What do you mean—"of this charater"?—Warehouses.

3875. But warehouses are not station accommodation?—Are they not?

3876. No; wharves?—Yes.

3877. But warehouses are diffeent. How much have you spent upon warehouses?—Thirty thousand pounds.

3878. It is in that expenditure?—No; upon wharves as well.

3879. How much of the 2*d.* do you allocate to warehouses?—I cannot give you that figure.

3880. Your existing rates I suppose are inclusive of wharfage?—No, I think not.

3881. They are not?—No.

3882. Do you charge at the present time any separate sum for station accommodation?—You speak of conveyance; that of course would be included.

Chairman.] You are speaking of conveyance.

Mr. *Whitehead.*] This only relates to conveyance, when the company are themselves the carrie

carriers. This amendment relates to Part I of Table A., which is maximum rates and charges. It is only when the company are themselves carriers that they charge the rates that they get power to charge, 6*d.* or 8*d.* for a special terminal.

Sir *William Houldsworth.*

3883. Your point is that it is all included in the conveyance charge?—This is mixed up to some extent with the conveyance rate.

Mr. *Whitehead.*

3884. This 2*d.* would bring in several hundreds a year extra?—Yes, I think it would.

3885. Are you aware that 6*d.* on every canal company whose rates have been fixed up to the present time has been the station terminal for Class C.?—No. On the Bridgewater they were allowed 8*d.*, our traffic is identical with that passing between the same points to a large extent; we provide the same accommodation in every sense of the word, and I cannot see any difference between them.

3886. The Bridgewater Company gave evidence to show that when they did certain loading and unloading, they were involved in very heavy expenditure?—That was in the case of service terminals.

3887. Putting aside the Bridgewater; take the Leeds and Liverpool, it is 6*d.* there, and in the Aire and Calder?—I believe so.

3888. And the Bridgewater so far has been an exception to the general rule, that 6*d.* is the station terminal for Class C.?—For the same reason that we are entitled to this. We do provide absolutely the same as they do, working in the same towns and under similar circumstances as the Bridgewater.

Mr. *Moon.*] I ought to apologise for saying this was a consequential amendment. I did not know it was an important amendment.

Re-examined by Mr. *Moon.*

3889. The Bridgewater Company carry to Rochdale, do they not?—Yes, over the Rochdale Canal.

3890. And at Rochdale they provide premises for which they charge 8*d.* under their new Schedule?—Yes.

3891. You provide, next door, also terminal accommodation of the same class?—Precisely similar.

3892. Is there any reason why you should not charge 8*d.*?—No.

3893. In Class I. the Provisional Order gives you power to charge 9*d.*?—Yes.

3894. Are the class of articles dealt with in Class C. and Class 1 the articles for which the same, or pretty nearly the same, kind of accommodation has to be afforded as terminal accommodation?—Very much the same.

3895. Do you think, therefore, that the station terminals to be allowed in Class C. ought to approach more nearly to the terminal fixed for Class 1 than the 6*d.* approaches to 9*d.*?—Yes, a good deal of the traffic costs more to deal with.

Sir *William Houldsworth.*] Am I right in page 11 in understanding that we raise the maximum station terminal from 6*d.* to 8*d.* on the Bridgewater?

(0.161.)

Mr. *Pelham.*] That is the case. The Committee adopted the amendment proposed by the company. I pointed out at the time that no evidence was given on this point, and I do not know whether the Committee at all considered the question. It was merely that there ought to be an increase upon the tolls, and the Committee adopted the whole Table. I do not think any argument should be founded upon the fact that it was given to the Bridgewater.

Sir *William Houldsworth.*] I understand we took the Table and it included it.

Mr. *Pelham.*] Yes.

The Witness was directed to withdraw.

Mr. *Whitehead.*] I do not propose to call evidence.

Mr. *Moon.*] I do not rely only upon the precedent of the Bridgewater Schedule. I rely upon what Mr. Dykes told you, that the traffic in Class C. and Class 1 are of much the same nature and require much the same terminal accommodation as is provided for them; therefore the difference between 6*d.* and 9*d.* he thinks is too great a difference to allow between Class C. and Class 1, and that the station terminal for Class C. ought, therefore, to be raised to compare more nearly with the station terminal for the articles in Class 1.

Mr. *Whitehead.*] So far as that last point is concerned, if you look at the column you see that the station terminals go along by a little gradation, 3*d.* to 6*d.*, 6*d.* to 9*d.*, and 9*d.* to 1*s.* I submit that there is no sufficient evidence put before the Committee upon that point which would justify the Committee in making the change and altering the Schedule into a form which differs from the Schedules fixed upon all other canals. When the *quantum* of these station terminals was being considered upon the typical canals very exhaustive evidence was given as to the cost of providing the accommodation by the company, and those figures of 3*d.*, 6*d.*, 9*d.*, and 1*s.* were fixed after fully hearing all parties; and I submit that no sufficient evidence has been put before the Committee justifying them in making an alteration from the typical form of the Schedule. But there were two other reasons alleged. One was that they had been put to heavy expenditure in making expensive warehouse accommodation; that they spent 20,000*l.* or 30,000*l.* in pntting up warehouses. That has nothing to do with it. If they provide warehouse accommodation for the trader they can charge him for warehouse accommodation, but warehouse accommodation has nothing to do with wharfage charge or station terminal. Station terminal is a charge made for the use of the station yard when the goods are landed from the boat on to the wharf; and if they are going to base their claim upon spending 20,000*l.* or 30,000*l.* upon warehouses then their claim falls to the ground.

Chairman.] Do you contend that the station terminal applies only to the ground upon which the goods are landed, and not to any accommodation which may be provided in the station?

Mr. *Whitehead.*] If they warehouse the goods they can charge for warehousing.

Chairman.

3896. Does the station terminal apply only to the ground upon which the goods are landed?—If there was a roof over the traffic it would come into the station terminal, but the warehouse is a different thing to providing a roof. A warehouse is a place where goods are detained and stored for some time, and for that service and for that accommodation the company can always charge, and for all outside that you may fix a station terminal. It is a distinct matter. So far as that expenditure is concerned I ask the Committee not to be influenced by it at all.

Chairman.] What is your definition of a station terminal?

Mr. *Whitehead.*] A station terminal is defined by the Act.

Chairman.] How does the Act define it?

Mr. *Whitehead.*] Section 3 of the Order says: "The maximum station terminals are the maximum charges which the company may make to a trader for the use of the accommodation (exclusive of coal or other drops) provided and for the duties undertaken by the company for which no other provision is made in this Schedule at the terminal station for or in dealing with merchandise as carriers thereof before or after conveyance." There has been a long series of cases tried before the courts, and my learned friend will not contest it when I say that the provision of warehouse accommodation is not the duty of carrier, but something outside the carrier's business. If he provides warehouse accommodation he is a warehouseman. If the company provide warehouses in their capacity as warehousemen they can make a charge outside the Schedule altogether. There I leave it. The only ground that they put before the Committee is no ground at all.

Mr. *Young.*] How much will this additional 2*d.* give to the company?

Mr. *Whitehead.*] Mr. Dykes said it was on 125,000 tons of traffic; half that, he said, was in Class C., so that upon that 62,000 tons of traffic they would get 2*d.* for each ton.

Mr. *Spicer.*] It is about 500*l.*

Mr. *Whitehead.*] About 500*l.*, and I need hardly say that Mr. Dykes and the company have not put before the Committee any figures showing why they should get 500*l.* rather than 200*l.* or 1,000*l.* or 20,000*l.*; there is no figure before the Committee which shows what relation that 2*d.* bears to the value of the accommodation they provide. If they put figures of that kind before the Committee I could understand the Committee accepting the amendment; but there is nothing to show why they should have 2*d.*, or what expense they are put to in providing this accommodation for which they ask for 2*d.*; so that upon that there is no evidence before the Committee.

The Committee deliberate.

Chairman.] The Committee adhere to the 6*d.* and not to the 8*d.* The next amendment is in line 35, to omit all amounts of service terminals for Class C. traffic; and in line 36 to omit "5*d.*" and substitute "6*d.*" as the amount of the service terminals for loading and for unloading Class 1 traffic.

Mr. *Moon.*] This is an amendment for the purpose of raising the service terminal in Class 1. Mr. Dykes would tell you that his average cost is 7 43*d.* loading and unloading, and the Schedule proposes to give us only 5*d.*; that would be a loss to us. But I understand my learned friend, Mr. Whitehead, for the Mansion House Association, says he does not oppose, therefore I need not go through the form of giving evidence.

Chairman.] What do the Board of Trade say to that?

Mr. *Pelham.*] The Board of Trade took these figures as all settled last year, and no evidence was given either way. If the Mansion House Association do not oppose, I do not think the Board of Trade need offer any opposition.

Chairman.] Then we will substitute 6*d.*

Mr. *Pelham.*] That finishes all the amendments, except the Table of Tolls, which the Committee postpone.

Chairman.] Mr. Moon asked it to be postponed until to-morrow.

Mr. *Moon.*] Yes, if your Grace pleases; I hope we shall be able to say we do not proceed with our further amendment.

Mr. *Whitehead.*] There are some amendments in rates; I suppose they will be taken with the tolls. I am not interested in them myself; but I want to know what the decision of the Committee is.

Sir *William Houldsworth.*] We have just finished the rates.

Chairmnn.] Where are these amendments?

Mr. *Whitehead.*] They are amendments in the name of the Mining Association.

Earl of *Lauderdale.*] What page of the amendments?

Mr. *Whitehead.*] Page 4 of the amendments, after the Table of Tolls, you see "Mining Association."

Mr. *Moon.*] My learned friend does not appear for the Mining Association, and he does not know where it is. It is upon page 3; we have passed it, and struck it out.

Mr. *Whitehead.*] I wanted to know how far we had gone. I did not understand your Grace's decision to apply to the rate columns at all. I thought the charges for conveyance were reserved.

Mr. *Moon.*] Do you appear for the Mining Association.

Mr. *Whitehead.*] I ask his Grace where we have reached in the list of amendments.

Mr. *Moon.*] Have you any amendment with regard to rates?

Chairman.] If you appear for anyone we will hear you, if you do not appear for any one we cannot hear you. We leave the tolls until to-morrow.

Mr. *Moon.*] Will you take the Rochdale Canal case

case at half-past eleven, or take it upon the conclusion of the Trent case?

Mr. *Lewis Coward.*] I do not think the Trent case will be a very long matter, but I do not think it would be convenient to interrupt the Trent case.

Mr. *Moon.*] It would be convenient to my clients to take the Rochdale case at half-past eleven.

Chairman.] We will take the Rochdale case at half-past eleven.

Trent Navigation.

The following Petitions against the Order are read :—

The Petition of the Trent Navigation Company.

Mr. *Lewis Coward* appears as Counsel in support of the Petition.

Messrs. *Martin and Leslie* appear as Agents.

The Petition of the Newark Navigation Commissioners.

Mr. *Moon* appears as Counsel in support of the Petition.

Messrs. *Martin and Leslie* appear as Agents.

The Petition of the Mansion House Association on Railway and Canal Traffic for the United Kingdom (Incorporated):

Mr. *Balfour Browne*, Q.C., and Mr. *Whitehead* appear as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

Mr. *Lewis Coward.*] I appear on behalf of the Trent Navigation Company, and I may say at once that I am going to accept the Schedule that has been put forward by the Board of Trade, although I could have wished and should have hoped for a little better toll. In a few words I will just explain to your Grace the nature of the navigation and leave to my learned friends to take such a course with their amendments as they think desirable. If the Committee will look at the cartoon opposite to them they will see that the Trent Navigation commences at a place called Wilden Ferry and goes down to Gainsborough, a distance of 66 miles; there are four locks, and from Dunham Shoal the navigation is tidal and below Gainsborough free.

I only propose to give the Committee shortly the history of the navigation. The first Act of Parliament was passed in 1783; it was an Act for improving the navigation from Wilden Ferry to Gainsborough, and a company was formed who were authorised to cleanse and maintain the river to a depth of 24 to 27 inches perpendicular in the dry seasons of the year; and also in consideration of that they were authorised to take certain tolls. The next Act of Parliament was passed in 1794, under which the company took power to deepen the river to a depth of 30 inches, that was three inches beyond the other Act, and make certain side cuts, one of which cuts I will allude to, namely, the Beeston Cut, that is the only cut that I need trouble the Committee with. They took power to double the tolls when that was done, and a capital of 26,000*l.* was authorised. Then there came the Act of 1858, which practically consolidated the two Acts I have mentioned, and by Clause 61 of that Act certain rates and tolls were fixed which are the rates and tolls which we charge at the present time, and further capital was authorised under that Act, namely, 13,000*l.*, together with borrowing powers to the extent of 8,600*l.* In 1882, the Company exercised a power of raising capital by that Act authorised, and they adopted the Carriers' Act, and raised the sum of 4,000*l.* In 1884 finding it necessary to improve the navigation, a further Act was obtained giving the company power to raise 100,000*l.* additional capital, with borrowing powers to the extent of 25,000*l.*, but only some 11,000*l.* of this capital was raised when the Corporation of Nottingham made an offer to purchase the navigation. They were unable, however, to carry out the purchase, and, it being found impracticable then to raise any further amount, the powers of the company were only exercised to a limited extent. Then came an Act of 1887, and under that a new company was formed for the purpose of acquiring the whole navigation. The capital authorised to be raised under that Act was 350,000*l.*, with borrowing powers to the extent of 87,500*l.* By that Act of 1887 power was given to dredge and deepen the river to a very considerable extent; to an extent to enable vessels drawing six feet of water to navigate the whole of the river. The company were bound to make certain improvements at a cost of something like 30,000*l.* The Bill was very strenuously opposed by the riparian owners, but it was strongly supported by the Corporation of Nottingham and by the traders, and it passed. The Bill was so highly thought of then that Mr. Bartholomew, the great authority on canal matters, considered that the navigation, if the works proposed were carried out, would form a very powerful rival and competitor with the railway company. Under this Act we have raised aud expended 142,000*l.*; 25,000*l.* of that has been raised by the issue of debentures; so we

we have under the whole of the Acts a total authorised capital of 562,000*l.*, but we have actually raised only 142,000*l.* Now I have got to tell you rather a sad story. From our tolls and miscellaneous receipts for the year 1893, we got a total amount of 2,020*l.*; from the rates we have received 10,000*l.*, but I regret to say, what we have received from them does not cover the expenses. The general maintenance of the navigation costs us the sum of 2,200*l.* and I regret to say we have paid no dividend for many years, not even the debenture interest. The Committee will remember that the extent of our debenture debt is only some 25,000*l.* and the 10,000*l.* we receive in rates does not cover the expenses. At the end of 1893 we found ourselves with a deficit of some 11,531*l.*, of which a sum close upon 6,000*l.* was due to the debenture holders, and those gentlemen have thought fit to appoint a Receiver, and at the present moment we are in the hands of a Receiver. Very successful dredging operations have been carried out on the navigation and are being carried on. In the drought of last year the traffic was uninterrupted, whilst in 1887 for many months the traffic was entirely interrupted. At Newark and at Nottingham we have taken large and commodious waterside premises which are fitted with modern hoisting machinery. The Schedule proposed by the Board of Trade I will just refer the Committee to shortly. If they will turn to page 21 of the Bill they will see there two Tables of Tolls, or rather what is called "Table A., Scale 1 and Scale 2," the first scale being applicable to the portion of the Trent Navigation above Dunham Bridge, that is the non-tidal part, and then comes Scale 2, applicable to the portion below Dunham Bridge, which gives a toll for the whole or any part of the distance of ¾*d.* per ton a mile.

Chairman.] How far is Dunham Bridge from Gainsborough?

Mr. *Lewis Coward.*] About 14 miles, and there is also another place I may point out called Torksey Lock, between 13 and 14 miles. You see that the toll from Gainsborough to Dunham Shoal is ¾*d.* a mile for the whole distance, for the 14 miles both up and down stream. It formerly was for down stream 1*s.* a boat and 1*d.* for coal, lime, and plaster, and for other merchandise 20*d.* I do not go any length into the tolls in opening the case. It is sufficient for me to tell you this, that the tolls proposed by the Board of Trade are about the same as the present tolls that are authorised. We should have been glad to have had a little better toll, and we had hoped that the Board of Trade might have seen their way to doing a little more for us, but still as as it works out, though in some classes there may be a rise against the traders, there is in others a fall against the traders, and so practically it works out much the same. The effect of the amendments, as proposed by my learned friend Mr. Balfour Browne, who represents the traders, would be to reduce these tolls some 50 per cent., and with regard to the amendments I wish to tell the Committee this: that none of the amendments now put forward were put forward at the inquiry before Mr. Pelham. What was done was this: we proposed certain tolls; the traders proposed certain tolls, and the Board of Trade issued a Provisional Order giving a less toll than the tolls which were proposed by the traders. Now the traders come and propose not only very much less tolls than the Board of Trade inquiry, but very much less tolls than the Board of Trade have given us. That is the position of affairs here to-day. The company were not professionally represented at the inquiry before the Board of Trade, owing, I suppose, to the impecuniosity of the company, but the traders were ably represented by Mr. Howell, the solicitor, than whom I suppose there is no one better qualified to deal with matters of this sort, and therefore it does seem unreasonable now for the Mansion House Association to come here before this Committee and propose an even larger reduction from the scale which they themselves suggested than has been made by the Board of Trade. That is the position; we think it looks like a wish to get rid of the existing company rather than to get protection for trade interests. Before I sit down, because I do not propose to take up the time of the Committee at any length, I may just refer to one Petition, namely, the Petition of the Newark Navigation Commissioners.

Mr. *Balfour Browne.*] You must not read that.

Mr. *Lewis Coward.*] I can refer to it as part of my story.

Mr. *Balfour Browne.*] The Newark Navigation Commissioners are not entitled to be heard.

Mr. *Lewis Coward.*] I am entitled in opening to refer to the Petitions.

Mr. *Balfour Browne.*] You are not entitled to refer to a Petition against alterations.

Mr. *Lewis Coward.*] I can tell the whole story.

Mr. *Balfour Browne.*] The rule is that Petitions against alterations are not referred to until there is an alteration proposed.

Mr. *Lewis Coward.*] I will tell the story of the Newark Commissioners, because it is important to us, We are under obligation to the Newark Commissioners to pay them a certain rent in respect of a certain cut, and I regret to say that we cannot pay our rent at present, and, therefore, any further reduction would be extremely disastrous, not only to us, but to the Newark Navigation Commissioners and also to the traders. In 1783 an Act was passed under which the Newark Navigation Commissioners got power to make a cut from a place called Crankley Point for a length of about four miles, with the object of providing a through navigation from Wilden Ferry to Gainsborough. In the year 1888 the Newark Navigation Commissioners leased that undertaking of theirs to my company, the Trent Company, and I am under obligation to pay to the Newark Navigation Commissioners the sum of 243*l.* 17*s.* a year. I regret to say, as the Newark Navigation Commissioners themselves state, in paragraph 6 of their petition, "The revenues of the Trent Navigation are at present in an unsatisfactory condition, and they are unable to pay the rent due for the last half-year to your Petitioners." I am not in a position to deny that statement.

We

We are in a position at any moment, under the powers contained in the agreement with the Newark Navigation Commissioners, which is scheduled to the Act of 1887, to which I have referred, to have that agreement determined by written notice from the commissioners to the company. So that the position we are in is this; we are in the hands of a receiver, and unable to pay the rent due to the Newark Navigation Commissioners, and we feel that any further reduction, if the Committee should think fit to put in any further reduction in answer to the appeal of the Mansion House Association, can only result in the company being wound up, and being unable to meet its obligations. Those are the short points. I think inasmuch as my learned friend has put forward his amendments, he is the attacking party, and I will leave it to him to put forward such figures as he thinks right and necessary. I content myself with shortly stating the nature of the navigation, and I propose to leave it there with your permission.

Mr. *Balfour Browne.*] I propose to leave it there till I have a witness to cross-examine. My learned friend has made certain statements, and he must prove his case in the usual way.

Chairman.] He accepts the Board of Trade proposal; he has nothing to prove.

Mr. *Balfour Browne.*] He has made various statements some of which are absolutely inaccurate.

Chairman.] He has told us that he accepts the Order as proposed by the Board of Trade.

Mr. *Balfour Browne.*] He has stated, for instance, that the Board of Trade proposal reduces the present tolls. That is not so; it increases their maximum charges. Is my learned friend going to prove what he has opened, or is he going to allow me to show you that instead of a reduction there is an absolute increase upon the existing charges given by the Board of Trade?—If he elects not to call evidence now he will be precluded afterwards from calling any. I am not going to have evidence upon the back of me; I am going to cross-examine his witness first, if he is going to call a witness.

Mr. *Moon.*] I appear for the Newark Commissioners, who own a very important part of this navigation. Though *per incuriam* we are not mentioned in the Schedule, Mr. Pelham agrees that we must be mentioned. Our Petition being against alterations, I do not propose to take any part till Mr. Balfour Browne moves his amendments. The proper course is for Mr. Balfour Browne to show the Committee some reason why his amendments to the Board of Trade proposal should be accepted.

Mr. *Balfour Browne*]. You are not in it at all.

Mr. *Moon.*] No; I say I am not in it; but I shall be in it as soon as you move your amendments.

Chairman.] The Committee desire that whatever amendments are going to be proposed by the Mansion House Association should be now proposed.

Mr. *Balfour Browne.*] The first two amendments we do not propose to move. Those were discussed early in the proceedings, we abandon those. The next we move is on page 21, line 9: "Omit 20 and substitute 10." If you will look at the Provisional Order you will see that contrary to all precedent the Board of Trade have in this case put "For the first 20 miles or any part of such distance," instead of, as in every other Schedule, "For the first 10 miles," and we propose to make this Schedule conformable to every other by asking you to substitute "10 miles," as in the case of every other canal, for "20 miles." I will tell you how this matter stands before I call any evidence. My learned friend has made certain statements which I am afraid he will not be able to verify. He says that their charging powers by the proposal of the Board of Trade are practically left where they are. I will show the Committee that the traffic carried upon this navigation is mainly traffic in Classes 1 to 5, and a separate matter which is not named in any of those classes, namely, plaster. Taking Classes 1 to 5, we know that the existing tolls are prohibitive, and I will be able to show that. From 1854 to 1876 a large amount of iron, grain, and timber was carried upon this navigation, namely, from 40,000 to 60,000 tons in the year. At that time there was an all-round toll of 6*d.*, and for that 40,000 or 60,000 tons an amount of something like 1,000*l.* to 1,500*l.* a year was paid to this navigation company. That went through the whole length of the navigation from Wilden Ferry to Gainsborough. In 1872, though they were receiving that large amount of traffic, they raised the toll from 6*d.* to 9*d.* In consequence of that the carriers, who were Messrs. Fellows, Morton, and Company, had to sell their plant, because they could not carry on the traffic with the 9*d.* In 1892, long after Messrs. Fellows, Morton, and Company had been driven off, their old customers asked them to begin again the carrying trade and they did so, and the result was a payment, in 1892, of 700*l.* a year to this navigation company for the traffic carried by Messrs. Fellows, Morton, and Company; but the result to Messrs. Fellows, Morton, and Company was a loss on two years of 688*l.* The fact is that with the present tolls you will hear that it is absolutely impossible to carry on this navigation at all; and yet the navigation company come here and say that we, the carriers on the canal, want the navigation to stop, and that we are proposing tolls which will send them into bankruptcy. They have put up the tolls to such an extent that the traffic cannot go; and curiously enough the Board of Trade by the proposal before the Committee, which my learned friend says they are quite willing to accept, carry the matter still further. That proposal will enable the navigation to increase their present powers, which is a thing that has not been heard of in any canal, so far as I know, that has been brought before the Committee. The principal matters that are carried are iron, timber, and grain. Take iron, which is in Class C. and Class 1; for 68¼ miles (that is the total length of the canal) the present charge and power would be 1*s.* 6*d.* The Board of Trade would enable them to charge 19·7*d.*, close upon 2*d.* extra; that is an advance of something like 9 per cent. Now my learned friend says the tolls we propose would make them bankrupt. We propose instead of their having 1*s.* 6*d.* for the whole distance which is their present power (and present powers have never been

been regarded as an absolute criterion) that they should have 16·7*d.*, or nearly 17*d.*, the 1*s.* 6*d.* which is their present power being an absolutely prohibitive amount. Take another illustration. Take plaster, which is carried a distance of 31¾ miles. The present powers as to that are 3*d.* What do you think the Board of Trade seek to give them power to charge with regard to that? 1*s.* 2*d.*, to quadruple the power of this company, who tell you that they are perfectly content with the Board of Trade proposal, because it preserves their present power. That is not a single illustration. I will take another. Take plaster, for 23¼ miles. The charge by their Act of Parliament is 3*d.*; the Board of Trade would allow them to charge 10*d.* We propose that they should have instead of their present power of 3*d.*, 3·8*d.*, or close upon 1*d.* in addition. Is that unfair? My learned friend led you to suppose that we were proposing to reduce their power. In those instances we have increased them. I have confined these observations to the classes numbered and to plaster, but, taking Classes A. and B. the same thing works out. If you take Classes A. and B. from Wilden Ferry to Gainsborough according to the Bill it works out at 9·35*d.*; according to the powers it is 9*d*; according to our proposal it is 8·35*d.* Is that unfair? The Board of Trade increases the power, we slightly diminish it, but only very slightly, because we give them 8·35*d.* against 9*d.* Take Wilden Ferry to Newark; the power just now, according to the Act of 1858, is 6*d.*; the Board of Trade proposes to give them 6·67*d.* upon Classes A. and B. I am speaking of coals and lime.

Sir *William Houldsworth.*] You gave us 6*d.* as the present power and 6·67*d.* as what the Board of Trade proposes to give them; what do you propose to give them?

Mr. *Balfour Browne.*] 5·17*d.*, that figure refers to coal and lime. Now I will take another illustration. Wilden Ferry to Newark, soil, marl, and manufactured manure, present power 3*d.*, the Board of Trade have given them power to charge 6·67*d.*, more than double. We propose to give them, instead of 3*d.*, 5·17*d.*, a very large increase of their present power, and yet my learned friend says they are to be reduced to bankruptcy. Take another, marl and soil, Nottingham to Gainsborough, their present power is 3*d.* and the Board of Trade propose to increase that power to 8·5*d.*; we propose to give them 7*d.*, as against 3*d.*; either of the proposals, either our proposal or that of the Board of Trade, leaves them more than double what they have at present power to charge. Where is the bankruptcy? Messrs. Fellowes, Morton, and Co. have been important carriers on the canal. Our whole object is to carry largely on the canal, but we cannot do it with the existing tolls. Where we are allowing them these increased charges we admit we could not carry, but they may have those tolls, and even where we would carry a large amount we are allowing charges which we think would in every case cover their existing charges, in one case it would not cover the maximum; take waste for 68 miles, their present powers are 9*d.*, we would give them 8·35*d.*, but in every other case we give them more than their present charge. Take 55 miles, their powers are 6*d.*; there we give them 7*d.* In every other instance we would cover their existing powers and their existing charges. Under these circumstances I do not think you will come to the conclusion that my learned friend has elected properly to leave the matter entirely to his statements, which seem to me, on the face of them, to be erroneous. I can prove what I say, and if I can prove what I say, all my learned friend's very fine opening and throwing himself on the mercy of the Court must go for nothing.

Mr. *Pelham.*] You said that on iron the Board of Trade proposal would enable them to charge 19·7*d.*

Mr. *Balfour Browne.*] Yes. Iron would come in Classes C. and 1.

Mr. *Pelham.*] You made a mistake in not allowing for the fact that for the last 18 miles it goes for only ¾*d.* for the whole distance. It is 20 miles at ·50*d.* (10*d.*), 30 miles at ·20*d.* (6*d.*), and 18 miles ·75*d.* (¾*d.*), making 1*s.* 4¾*d.*

Mr. *Balfour Browne.*] I am much obliged. If I am wrong there I will put it right to-morrow. If, on the other hand, my 19·7*d.* is right, I am sure Mr. Pelham will withdraw what he has said.

Mr. *Lewis Coward.*] Will my learned friend let me have a copy of the Tables he has been referring to?

Mr. *Balfour Browne.*] You shall have a copy.

Ordered, That this Committee be adjourned to To-morrow, at Half-past Eleven o'clock.

Die Mercurii, 4° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	
Lord CLIFFORD OF CHUDLEIGH.	Mr. SPICER.
Lord HERRIES.	
Lord HAWKESBURY.	Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(BRIDGEWATER, &C., CANALS).

ROCHDALE CANAL.

Mr. *Moon.*] YOUR Grace, we have considered what the effect upon our revenue would be of the decision which the Committee gave yesterday, namely, that for the portion of the canal between Castlefield and Brownsfield we should be entitled to charge every quarter of a mile as if it was three-quarters of a mile. The loss we said we should sustain under the Provisional Order was a loss of 2,000*l.* The effect of the decision of the Committee will be to reduce the loss to 838*l.*; 1,700*l.* was the loss; 2,000*l.* was the gross loss: 1,700*l.* was the loss upon the short-distance under the Provisional Order as it stood. Now, after the decision of the Committee the loss will still be 838*l.*, or half the 1,700*l.* Therefore I propose on behalf of the canal company with a view of still further diminishing, though it will not remove the loss, to move the amendments which the Rochdale Canal Company have put upon the paper with regard to the tolls; that is to say, increasing not A., but increasing for the first 10 miles in B. and C., timber and the classes.

Sir *William Houldsworth.*] A. and B. are together in the Schedule.

Mr. *Moon.*] They are together in the Schedule. We propose to dissociate A. and B., as A. and B. were associated in the Bridgewater Canal.

Chairman.] You must not lose sight of the fact that we gave you the extra mile, namely, five miles instead of four.

Mr. *Moon.*] It will not affect the five-mile traffic of which I am speaking; the loss of 1,500*l.* was upon the five-mile traffic, and that is reduced by one-half as regards A.; the figure we propose in our amendment for the first 10 miles is the same as the Board of Trade Schedule; therefore I need not deal with that; but as regards B. we propose 0·90*d.* as against the Board of Trade proposal of 0·75*d.* Now the loss which we should sustain under the Provisional Order as amended by the Committee on B. would be 58*l.* 18*s.* 4*d.* in two months, or 350*l.* in the year; that is to say, out of the 838*l.* loss, 350*l.* is attributable to B., and 250*l.* of it is attributable to C. In C. we propose to raise the Board of Trade figure for the first 10 miles from 1*d.* to 1·20*d.*, and we withdraw the amendment as regards timber. Our proposal as regards the whole of Class C. is to raise it from 1*d.* to 1·20*d.*, and that accounts for a great part of the loss which the Provisional Order would cause to us; 350*l.* and 250*l.*, that is 600*l.* out of the 838*l.* We should not be able to recoup ourselves for the whole of it, even upon our proposal. If our proposal were granted we should upon Class B. lose 30*l.* in two months or 180*l.* a-year, and in C. we should lose 17*l.* in two months or 100*l.* in a year, but the effect of our proposal, if the Committee accepted it, would be this: that whereas the Provisional Order modified by the Committee causes a loss of 838*l.*; if the Committee accept our amendment our loss would only be 479; so that the effect of our amendment is to reduce the loss to the extent of 400*l.*, but we shall not get off scot free because we shall still lose 479*l.*

Mr. *Young.*] What do you gain on B.?

Mr. *Moon.*] £19 instead of 175*l.* on B. will reduce the Board of Trade loss, which at present stands at 58*l.*, to 30*l.* in two months, so that it is six times 28*l.*, or practically 168*l.*

Chairman.] What about the classes?

Mr. *Moon.*] As regards the classes they are not so important. The loss upon Class 1, under the Provisional Order modified, is 6*l.* 8*s.* 2*d.* for the two months or 40*l.* a-year; and upon Class 2 1*l.* 5*s.*; it is insignificant. The loss under the Schedule as proposed to be modified by us on Class 1 would be still 15*l.* out of the 40*l.*, so that the important classes are Classes B. and C.

Sir *William Houldsworth.*] Are those classes the only ones that you propose to modify the Board of Trade Schedule upon?

Mr. *Moon.*] We need not trouble the Committee with any other proposal as regards any other classes but B. and C.

Sir *William Houldsworth.*] And it is only for the first 10 miles.

Mr. *Moon.*] Yes.

Mr. *Pelham.*] This proposed altering the tolls will affect the tolls over the whole length of the canal, though the bonus mileage applies to particular parts of the canal. I shall have a suggestion to make upon the matter.

Sir *William Houldsworth.*] What is Mr. Moon going to propose? In the first column it will be B. and C. you propose to alter; then the question is what you propose in the second and third columns?

Mr. *Moon.*] I should not propose the amendment on the second and third columns, and in order to meet what Mr. Pelham has said, that if you raise the tolls in the first column for ten miles you affect the toll all over the canal. I should propose to do this: as regards B., the Board of Trade Schedule at present proposes 0·75*d.* for the first ten miles and 0·60*d.* for the second ten miles. I should propose 0·90*d.* for the first five miles, which will cover this traffic which we are discussing, and then take the Board of Trade figures for the second part; that is to say, the next 15 miles, or 0·60*d.* for the next 15 miles. In order that the general effect at the end of 20 miles might be the same, I should propose to take 0.90*d.* for the first five miles and 0·60*d.*, the Board of Trade figure, for the next 15 miles. It will produce exactly the same result, and it will not affect, therefore, the tolls over the whole canal.

Sir *William Houldsworth.*] That is with reference to B.?

Mr. *Moon.*] That is with reference to B.

Mr. *Pelham.*] It will affect the tolls over any part of the canal for traffic that goes five miles,—not at the Manchester end, probably.

Mr. *Moon.*] I suggest it, because that is a way in which Mr. Pelham's objection could be met as regards traffic which goes over the whole distance of the canal, that is, as regards through traffic. Of course it will affect the traffic going five miles. Our object is so to affect the traffic as to minimise our loss; but if the Board of Trade desire that the tolls throughout the whole canal should remain the same as is proposed by them, it can be done in that way, and we shall be protected. If that will not satisfy Mr. Pelham, I propose to put before the Committee the figures which we now suggest.

Chairman.] As to Class C., what do you say?

Mr. *Moon.*] As to Class C., the figures we suggest are 1·20*d.* for the first 10 miles.

Chairman.] In Class C. do you deal with the other columns, except the first column, which goes right through?

Mr. *Cripps.*] We adhere to the first column in all these cases, because it covers the short-distance question.

Chairman.] Then all we have to consider is whether it is to be 0·90*d.* for B. for the first 10 miles, and 1·20*d.* for C. for the first 10 miles. For the first five miles I understood you.

Mr. *Cripps.*] It was a suggestion that was made to meet the objection of Mr. Pelham. We ask for the first 10 miles, leaving the column in the Board of Trade form for the first 10 miles, which leave A. as it is, for B. 0·90*d.*, and for C. 1·20*d.* That is the only alteration we ask: we leave the rest of the figures as they are proposed by the Board of Trade.

Chairman.] There are two alterations?

Mr. *Cripps.*] Two alterations, and only two.

Chairman.] Then you accept the Schedule contained in the Provisional Order in everything except in the first column as regards B. and C.?

Mr. *Cripps.*] That is so.

Chairman.] Will you take the evidence shortly? We have got this all in our minds.

MR. WALTER SOMERSET, is re-called; and further Examined, as follows:

Mr. *Cripps.*

3897. LAST night, I believe, you worked out the effect of the decision of the Committee?—I did.

3898. What did it show, or what did it leave, as the continuing loss as against the Rochdale Company?—Taking the figures out of the Provisional Order with the bonus mileage granted by the Committee, the loss remained as 838*l.* 4*s.* 6*d.* on the 12 months' traffic, or 11·97 per cent. of the toll revenue on the five-mile traffic.

3899. It left the loss of 838*l.* 4*s.* 6*d.*?—Yes.

3900. The only other question I would ask you is how much of that loss would be saved if the proposal that we now make is adopted by the Committee of 0·90*d.* for the first 10 miles in B. and 1·20*d.* for the first 10 miles in C.?—Roughly speaking, 350*l.* a year will be saved by the Rochdale Canal Company's proposals.

Mr. *Cripps*—continued.

3901. You mean that it would reduce the loss down to a little less than 500*l.* a year?—To 479*l.* 15*s.* 6*d.*

3902. Your present proposal would still leave us with a loss of slightly under 500*l.* a year?—6·85 per cent. loss to the toll revenue on the five-mile traffic, 7 per cent. of the revenue.

3903. Their

Mr. *Spicer.*

3903. Their 750*l.*, the corrected figure upon which you have made your alterations, they are only asking for on the first 10 miles?—Yes.

Mr. *Cripps.*

3904. The loss was on the short-distance traffic?—It is upon the short-distance traffic entirely.

3905. We have not dealt with Classes 1, 2, 3, 4, and 5; but the losses are all comparatively small?—I have taken it in the total; they are small—very small.

Sir *William Houldsworth.*

3906. Does the 350*l.* reduced loss apply to B. and C.?—Yes; there is only a matter of 5*l.* difference on the classes between the Provisional Order and our proposals.

Cross-examined by Mr. *Balfour Browne.*

3907. As I understand, the calculation was made upon the Board of Trade toll, as modified by the Committee?—On the Board of Trade tolls as modified by the bonus mileage granted by the Committee yesterday.

3908. At the Manchester end, what did you take the bonus mileage to be?—We took every quarter of a mile to represent three-quarters of a mile.

3909. How far?—A mile and a half, between Brownsfield and Castlefield.

3910. That was all?—Excepting that anything under a mile we took as one mile.

3911. Anything under a mile you took as a mile?—Yes; the first quarter of a-mile we multiplied by three; that gave us three-quarters; and according to the Schedule a fraction of a mile is one mile, and we took it as one mile.

3912. Did you calculate the loss you would be at if you applied what we propose; the Leeds and Liverpool Scale, 0·50*d.*, and so on?—No, we had not time.

3913. What is the 479*l.*?—The 479*l.* 15*s.* 6*d.* is the loss that the canal company will sustain on their amendment with the bonus mileage.

3914. Does the bonus mileage on the summit affect any traffic that you calculate upon?—No.

Cross-examined by Mr. *Waghorn.*

3915. At the end of Table F., which was put in by Mr. Dykes, there are two items, "add light dues on empty boats." According to the present scale of charges, Mr. Dykes said that brings him in a revenue of 78*l.*?—Yes.

3916. But the Board of Trade proposals would allow him to charge 240*l.*; have you taken that alteration into account in calculating the loss?—The Board of Trade proposals would give 204*l.*, according to the Table.

3917. I beg pardon; it is so?—The figures I have given now are on the toll traffic; not on the empty boats.

3918. I asked Mr. Dykes whether those charges on the light and empty boats would not all be incident to the traffic which would not pass a distance of more than seven miles, and he acquiesced; do you take that view?—I did not

Mr. *Waghorn*—continued.

hear Mr. Dykes give the answer, and I could not say; I do not know.

3919. At any rate you have not brought it into account?—No, we have taken simply toll, and have not touchod the empty boats at all in these figures.

3920. You are not representing to his Grace and the Committee the loss that will be entailed on the Rochdale Canal Company by the decision which they gave yesterday, but only what will be lost to them by that one part of the traffic?—We represent to the Committee the loss that we shall sustain by the reduced bonus mileage and the Board of Trade figures or our own figures.

3921. And you have taken no account whatever of that 750*l.* a year gain that would accrue to them upon the empty-boat clause?—I do not find 750*l.* at all. I find 130*l.*, about.

3922. In the same manner, you say there is no gain to the Rochdale Company upon the first three or four items in their Table F. For example, their actual revenue is 16*l.*; that is what the Table shows?—That is the old question of a paper gain which is not obtainable.

3923. I should have liked to have asked Mr. Dykes upon what ground he stated that it is not obtainable?—If I may give an explanation that occurs to a canal manager, the railway companies tried to get the gains given to them, and they have had constant agitation since, and it is going on now, and they have not been able to obtain them; arguing from that analogy that they cannot obtain them, and further, as a canal manager who knows his business gets as high a toll as the traffic will bear, at present we cannot raise it without killing the traffic.

3924. How can that be when they are limited to 4*d.* per ton per mile by their Act; how can they possibly get any more? Their Act limits them to 4*d.* per ton per mile?—They are getting as much as they can at present.

3925. And now the Committee allows them to get, instead of 16*l.*, 64*l.*, and I want some sensible reason why they should not get this £64 upon that quarter-of-a-mile traffic?—If the traffic will only bear the present charge it stands to reason that it will not bear an increased charge; it would go some other way, and the canal company would lose the traffic entirely.

3926. I concur with you, and every man of sense will concur with you; but the question is, why do you say the traffic will not bear it if the traffic goes a quarter of a mile when it comes from the Bridgewater Canal or a quarter of a mile from some other canal, do you mean to say that for the sake of 5*d.* per ton per mile they will put it upon the carts?—The 5*d.* per ton is haulage. If the toll was materially increased it would be cheaper to cart.

3927. I suggest to you that if you take the 78*l.* which is at the end of the table, and as Mr. Dykes said is attributable to traffic under 77 miles, and you also take the 204*l.* and added it to the first column, the maximum under the Board of Trade, there is no loss shown to accrue to the Rochdale Canal Company upon the original figures?—That is going upon the basis that they can make charges higher in the future than they

Mr. *Waghorn*—continued.

can at present, and that is a condition which I cannot accept.

3928. You do not accept it. I will ask one more question, and I will put this once more: Do you assert that on traffic which comes for a distance of one quarter of a mile only on the canal it will be loaded out of the canal boat on to a cart, and not be taken upon the canal simply to avoid the toll that is put upon it?—I consider that the bulk of the traffic going the first quarter of a mile upon the canal goes in small boats taking about 10 tons, and it would be cheaper to cart than to pay the maximum charges.

3929. What is the maximum charge?—Seven shillings and sixpence.

Mr. *Spicer.*

3930. One question with regard to these light dues on empty boats: You admit that you have not in this calculation the 350*l.* loss, reckoned for any extra; you would gain by the bonus mileage which we have given you on your empty boats?—We should not get the bonus mileage on the empty boats, we should get the minimum boat toll; and if the traffic only goes one way and the boat comes back light, if we increased it it would practically be an increase upon the outward journey, and we cannot do it; it would kill the traffic.

3931. The answer you gave showed that whilst you admitted that you could get the bonus mileage, even though it entailed larger tolls upon your customers, you could not obtain it on the empty boat?—The losses I have put in this morning are simply losses on individual items of traffic. We have not taken into account the gains upon some of the traffic, because we say we cannot get them. The revenue will be reduced by that amount, and I do not see any way of getting it back.

Chairman.

3932. The actual loss is 479*l.*?—Yes, the actual loss is 479*l.*; that is the actual loss on the toll traffic.

Lord *Herries.*

3933. You said before that you could not estimate your gain, but you did not say that you could not make any gain upon this traffic?—I do not remember saying that; we have worked out everything so that we know exactly what the traffic will give us.

3934. You did not say that it could not be got, but that you could not estimate it?—We could not estimate the quantity of it; and we could not put any value upon it; it would be no value to us.

3935. You did not mean to say that there would be no gain?—I do not think we shall obtain any gain.

Lord *Clifford of Chudleigh.*

3936. You derive a certain amount upon traffic upon which you at present charge your maximum; so that you have no practical experience as to whether you could raise it or not?—Judging from the difficulties that the railway companies got into by raising their rates to the maximum it would not be a wise proceeding for small canal companies to do so, even if the traffic would bear it.

Lord *Clifford of Chudleigh*—continued.

Mr. *Spicer.*

3937. If you cannot get the extra tolls it does not make any difference whether we grant them or not?—Yes, we want to cover the actual tolls on the bulk of the traffic.

3938. You say you doubt whether you will be able to get it. The railway companies have had so much difficulty in getting theirs that a small company cannot get it?—We require these figures to cover our actual operative tolls in many cases.

Sir *William Houldsworth.*

3939. That is, the maximum you give is below your actual tolls?—Yes.

3940. As a matter of fact you have not calculated upon any article any gain whatever?—We have not taken that into account.

3941. You assume that upon no article whatever can there be any gain?—Quite so.

Cross-examined by Mr. *Whitehead.*

3942. You have made it very clear now, but I will add one question. You are manager of the Leeds and Liverpool Canal?—I am traffic manager of the Leeds and Liverpool Canal.

3943. You do not have anything to do with the management of this canal?—Not with the management of this canal, but I have been called in to assist.

3944. You personally are not acquainted with the details of the traffic upon this canal?—Yes, I am.

3945. Except in so far as you have been informed by the officials of the company, or in so far as it relates to the rates charged upon your own traffic?—No. I have personal knowledge of the traffic upon the Rochdale Canal, because I was for some considerable time employed at Dale-street by the Bridgewater Trustees.

3946. When was that?—When I started work first, 22 years ago. Then for 18 years after that I was connected with the Bridgewater Navigation, and we had traffic arrangements with the Rochdale Canal, and knew distinctly the traffic.

Mr. *Cripps.*] We will put Mr. Dykes into the box. Mr. Somerset only went into the figures last night.

Mr. *Whitehead.*

3947. He has given a lot of evidence upon something else. (To the *Witness.*) Did you, in making the calculation, deal with through as well as with local traffic?—We dealt with the whole of the traffic that passed.

3948. Supposing that traffic passed from Heywood to Rochdale, you dealt with it?—Yes.

3949. If traffic passed from Manchester to Sowerby Bridge, you dealt with it?—No; we only dealt with the five-mile traffic.

3950. Is it not the fact that these figures which have been put before the Committee will affect all

Mr. *Whitehead*—continued.

all the traffic of the canal, and that traffic going from Manchester up to Sowerby Bridge?—From Manchester up to Sowerby Bridge it will give for three miles 0·15*d.* or 0·25*d.*

3951. That is nearly a ½*d.* upon every ton of that traffic?—Yes.

3952. And in the figures which you put before the Committee you have not taken that into consideration?—We had not time to calculate more than the five miles traffic; we could not do it.

3953. One question about particular articles; it is the fact, I believe, that salt has, in all canal legislation, been grouped with the heavy mineral traffic?—Upon most canals salt has been in the lowest class of the Parliamentary scale.

3954. In the legislation of last year it was placed in Class B., and Class B. always being taken with Class A., it got the benefit of the lowest tolls?—Yes.

3955. Will you tell the Committee what accommodation the canal company provide for the trader whose traffic is in Class B. which they do not provide for the trader whose articles are in Class A.?—Do you mean with regard to the tolls?

3956. Yes?—As regards toll the same accommodation is provided whatever class the article is in, whether night-soil or gold or watches.

3957. So that they give the same accommodation for articles in Class C. as for articles in Class A.?—Yes, and the same accommodation for articles in Class V. as for articles in Class A.

3958. But there is lighter loading in the higher classes?—Yes.

3959. Sir Courtenay Boyle said to the Committee last year that, so far as the Board of Trade was concerned, they saw no difference whatever between the expense of providing a waterway for articles in Class A. and the cost of providing a waterway for articles in Class B.; you assent to that?—Naturally there is no difference on articles in Class V.

Re-examined by Mr. *Cripps.*

3960. Just a question upon the theoretical gain. You made your calculation upon the basis of the actual charges?—Yes.

3961. The suggestion of the traders is, that to make up the losses you should raise the actual charges?—Yes.

3962. As a canal manager you say that in dealing with the traffic you do not contemplate raising actual charges against the traders?—As a traffic manager I do not think we can do it. The traffic pays as much as it will bear now.

[The Witness is directed to withdraw.

Mr. *Balfour Browne.*] With regard to this amendment, of course, I resist it all I can, and against it we put our own amendment which is, that the toll should be reduced from what the Board of Trade allowed to 0·50*d.* for Classes A. and B., it is upon page 5, my Lord, 0·85*d.* upon Class B., and 1*d.* upon the other classes. My Lords, you will remember what my learned friend Mr. Cripps said yesterday, he said the Board of Trade had to try and fix a toll which will keep the canal open for the bye traders. Unfortunately, I think the Board of Trade have fixed tolls which will not have that effect; it is an odd thing that you should have the Leeds and Liverpool general manager coming here and asking for very high tolls upon the Rochdale Canal; it is odd, in this way: that you remember the Rochdale is a short route, and the Leeds and Liverpool is a long route. There might be, if it was worked in the interest of the public, some fair competition between the Leeds and Liverpool and the Rochdale Canals, and the Leeds and Liverpool might have to reduce its tolls if the Rochdale had its tolls reduced by this Committee; but what is the result if you do what Mr. Somerset says you ought to do, keep up these tolls and raise them even higher than the Board of Trade have thought of doing? You will enable the Leeds and Liverpool to keep up their tolls again against the interest of the public. Now, though Mr. Cripps said the Board of Trade had to find out tolls that will keep this canal open, yet, what is the result of these tolls? My learned friend has most adroitly conducted this case. He first said: Assume the Board of Trade tolls, then give us this bonus mileage. He succeeded in getting not all the bonus mileage he asked, but nearly all the bonus mileage. You have knocked out the Sowerby Bridge end bonus, but you have given him the five miles upon the summit pool, and given him three for one upon the piece of canal between Manchester and Brownsfield Lock; and having got that he says now, I am not content with the Board of Trade figures, and I ask you to put Classes B. and C. upon the figures that Mr. Somerset put before you. First of all, I thought A. and B. were grouped together in this particular Schedule.

Chairman.] B. and C. are what we are dealing with.

Mr. *Balfour Browne.*] In the Board of Trade Schedule, as your Grace will see, they have treated A. and B. as one class; that is a principle that we object to, and in our proposal, as you see, we have separated them. I see I am wrong. I say distinctly that it is entirely wrong that the amendment has followed the Board of Trade Schedule, and it is quite contrary to practice. Twenty-six canals have been looked over, and in every one A. and B. are separate; there is no good in having A. and B. grouped into one class. I say I was staggered when I saw how our amendment had followed the Board of Trade in that respect.

Mr. *Pelham*] All the canals settled last year grouped A. and B., and almost every one this year have been grouped again.

Mr. *Balfour Browne.*] In 26 different canals A. and B. are separate, but I cannot, of course, go beyond my own amendment, and I will not say a word upon that. I see we must not hark back upon it after having proposed it ourselves. But let us see what they propose? They forget what Mr. Pelham said about keeping the canal open, and they say: Now the duty of this Committee is as near as possible to give us tolls covering our actual charges. What would the result of that be? To do what has been in the past, to turn all the traffic into their own hands. You have

had the figures already put before you by Mr. Swindells and Mr. Royds, and I will not go into them again, that practically the traffic is getting entirely into the hands of the Rochdale Canal Company as carriers. Why? Because the tolls are so high as to prevent independent carriers running, and also because they have spent large sums of money in buying out the independent carriers; but you have the evidence of those gentlemen who said distinctly that if the proposals of the Rochdale Canal Company were sanctioned with such bonuses plus the tolls the Board of Trade have given, the result would be to stop all bye-traders upon the canal. Now these are gentlemen of very great experience upon canals. They know what canal traffic is; and I will read first what Mr. Swindells said. At Question 3444 it is put to him: "There the toll amounts to more than the rate?—(*A.*) Yes. (*Q.*) Do you think that bye-traders could carry on the trade under these circumstances?—(*A.*) I have no hesitation in saying they could not." If it is the Board of Trade duty to keep the canal open, and if you believe what Mr. Swindells said, though he is tainted in the sense of being another canal proprietor, only interested in having through traffic in the interests of the public passing between these two, if you believe him the result of sanctioning these very high tolls in the hands of this company will be to choke the traffic off. Mr. Royds said precisely the same thing. At Question 3549 the question was put to him, "Take a proportion, such as that given by Mr. Dykes yesterday, two-thirds toll out of the total rate, as against one-third for the carrying rate, what would the effect of that be upon the existence of the bye-traders on the canal?—(*A.*) It would kill them." Now what evidence have you before you to-day? They say, first of all, the loss entailed upon them by the Board of Trade Schedule, if allowed in conjunction with the bonus mileage that you allow, would be a loss of 838*l.* How is it got? Simply by having regard, as Mr. Somerset told you, to the short-distance traffic. They have not had time to calculate what they would get upon the traffic going further than the Brownsfield Lock; therefore you do not know what the result would be. Mr. Somerset cannot tell you, and nobody has given any evidence at all. Mr. Whitehead elicited the fact that there was none of the long-distance traffic from Manchester over the whole course of the canal in that calculation.

Under these circumstances, I ask you to say that you cannot rely upon the loss entailed upon this canal of 479*l.*, but if you believe our case, which has been rightly or wrongly that the traffic cannot go on at the present rates, and that they must be reduced, and that we have the strongest suspicion that this company is not *bonâ-fide* attempting to keep it open in the interest of the public. We ask you to accept our amendment. We may be right or wrong, but we want the tolls reduced. Why should the company come and say, we, of all the companies in this country, are to get tolls enabling us to get practically what we are getting to-day?—No other company has done it. Even the Bridgewater, which your Lordships were exceedingly liberal with, showed you distinctly that their loss would be 2,000*l.* a year. In the other cases that the other Committee had before them last year the loss was proved to be enormous, even upon a traders' canal like the Aire and Calder; a loss of 25,000*l.* upon their actual revenue. Not that it was a loss, because we believe the reduction of toll will stimulate traffic, and that they will be able to recoup themselves largely. Where is the recoupment here? Mr. Somerset says, wherever you increase the tolls we cannot get them, he has not calculated upon any increase of traffic. If the traffic were increased by lowering the tolls, would not he get a benefit upon that? I confess, your Grace, that I think the impression must be strong in your minds that the Rochdale Canal Company is not very anxious to foster traffic; it is not very anxious to do anything for the traders, but is anxious to do, perhaps out of pure gratitude, something for its friends the railway companies that acted so very liberally towards them.

One more word and then I will leave the matter in your Lordship's hands. Remember what Mr. Pelham said yesterday. He said if these bonuses are to be allowed, the extra bonuses that these people ask, something ought to come off the tolls. I will read the very words: "Now I want to make another suggestion. I think if the Committee gave the canal company this extra mileage at the Manchester end, that some reduction ought to be made (I do not know whether it is the proper time to consider it now) on the long-distance tolls" We say that the reduction that should be made upon the long distance toll on all the tolls should be to put this company in a line with the other companies. You have given them a bonus and I am not going to say a word against it now, because you have decided it; but why should they have tolls at 0·75*d.* when the Leeds and Liverpool have them at 0·50*d.*? Why should not they carry at the same tolls? Mr. Somerset has not even taken the trouble to work out what the loss to his company would be at that figure; perhaps it may be very small, something trivial in addition. I do not know. We have not had a chance of working it out either. Mr. Somerset might have told you; but we say that the Rochdale Canal Company should certainly have the same tolls that all the others have got. You have allowed 0·50*d.* upon the Huddersfield Narrow Canal, and the Committee last year allowed 0·50*d.* upon the Leeds and Liverpool Canal. Why should this central route, practically the only short route between the east and west of England, have more than 0·50*d.*?

Mr. *Pelham.*] It was 0.75*d.* upon the Huddersfield Narrow Canal.

Mr. *Balfour Browne.*] You are right, 0·75*d.* upon the Huddersfield Narrow Canal. There was no bonus allowed upon it.

Mr. *Moon.*] It is not a railway canal.

Mr. *Balfour Browne.*] The difference is this, though you allowed 0·75*d.*, there was no bonus from beginning to end on the narrow canal of the Aire and Calder, another canal, the Leeds and Liverpool, and the Grand Junction and other canals have only been allowed by the Committee last year 0·50*d.*

Chairman.]

Chairman.] We are not upon the Leeds and Liverpool Canal; we are upon this case before us, and we deal with each case as it is presented. We get rather into confusion if we mix up what has been done by other Committees on other canals.

Mr. *Balfour Browne.*] I understand that, and I will not go into other cases; but you Grace remembers what you have done in settling the cases, you have only allowed 0·75*d.* upon that Huddersfield Canal and no bonuses—here, if you allow 0·50*d.* with the large bonuses that you have already sanctioned, and you will be putting this canal in as good a position with regard to the tolls as the Huddersfield Canal, and I believe if they got 0·50*d.* even with the large bonuses something would be done to foster the traffic and this canal might still be used as a public waterway.

Mr. *Waghorn.*] Your Grace and the Committee, I beg to suggest for your consideration that, notwithstanding a statement made by Mr. Somerset ——

Chairman.] Are you now replying upon this?

Mr. *Waghorn.*] I am objecting to the proposal of the Rochdale Company.

Chairman.] Objecting to what proposal?

Mr. *Waghorn.*] I am objecting to their proposed alterations *in toto,* and I am doing as my learned friend, Mr. Balfour Browne, did; I am asking that instead of that ——

Chairman.] Are you objecting to what Mr. Balfour Browne proposed?

Mr. *Waghorn.*] I am with my learned friend, Mr. Balfour Browne, in sentiment, but I appear for different clients. We are asking precisely what my learned friend asked for.

Chairman.] Very well, then; will you go on?

Mr. *Waghorn.*] I was simply pointing out to the Committee that even upon the Tables as put in by the Rochdale Company there would appear to be every prospect of their having sustained no loss of revenue whatever, even upon the figures as originally put in by my learned friends. The manner in which that showed that there might be a loss was by entirely ignoring the advantages that the Rochdale Company were given by the Board of Trade in respect of light and empty boats. I take that figure which I have mentioned to Mr. Somerset and add it to the first page of the Table put in by the Rochdale Company, Table A., and you will see by that, I think, that nearly the whole of the suggested loss is covered by the gain which the Board of Trade have given them, and this Committee have assented to, upon that one single and sole item. I shall point out to your Grace, that the greatest part of the loss does occur to the revenue shown on the first page. They say that their actual revenue is 1,247*l.*, and that the Board of Trade proposal would give them 1,074*l.*; but the Board of Trade give them 274*l.* for empty boats as well. Before they were limited to a certain amount, 15*l.*, or something of that kind, which practically came to this: that 15*d.* was the amount that they could charge upon an empty boat. Your Grace will certainly take that into account, because that is part of the whole scheme upon which the computations have been made. But then Mr. Somerset goes on to say that they cannot put up these small items here upon which large losses are shown at the very commencement of the Table. I submit that this is a very extravagant proposition to put before the Committee. What it amounts to, taking the first item of all (and the same applies to the other canals to some extent), is that they are compelled to charge 1*d.* for a ton of this traffic, because the Act of Parliament limits them to 4*d.* a ton a mile, and does not give them a bonus. Now, even according to this proposal which they have here, they can charge four times as much; by a different process of computation the Board of Trade would allow them to charge something between 4*d.* and 5*d.*, and I do submit to the Committee that it must be most obvious to their common sense that a boat is not going to be unloaded for the sake of the difference between 3*d.* and 4*d.* a ton, because they pay 4*d.* at the present moment, and they would pay 4*d.* or 5*d.*, and every penny that the Board of Trade have given them, I most respectfully submit, is recoverable.

Then one reason why, as Mr. Somerset suggested to you, it might not be so was this. The very last witness called before you last night was examined upon the quantity of cotton that went in a boat, and nearly the whole argument addressed upon the last amendment to the Committee was based upon this: that 10 tons of cotton go in a boat and 30 tons of coal; why should you ask to have the same amount for 10 tons of cotton as for 30 tons of coal? It is not now convenient to assume that 30 tons of coal go in a boat, and Mr. Somerset comes, and the single sole source put before you why those amounts could not be charged is, because 10 tons of coal go in a boat, and you will not unload 10 tons of coal, because they are charged 5*d.* a ton for it. I suggest that it is unreasonable to suppose that a boatload of 10 tons of coal will be unloaded simply because of a charge of 7*s.* 6*d.* Mr. Somerset said nothing whatever about the amounts that are proposed to be charged for longer distances. We have dealt up to the present time with questions relating to short-distance traffic, because there it is that the loss has been, that is to say, where they say they would incur a loss; we say they will not. But it is reasonable to have the same tolls applied for the traffic that goes over the whole of the canal, and I wish to take the liberty of recalling the attention of the Committee to the evidence given upon the proportion which the tolls ought to bear to the rates. Mr. Somerset says upon this (he was the principal witness for the Rochdale Company), upon page 262 of the Minutes ——

Chairman.] We have had the evidence of the proportion between tolls and rates; I think it is one-third and two-thirds; we have that on our minds.

Mr. *Waghorn.* Yes, but the last time I happened to mention it incidentally, I think it rather occurred to your Grace that there was some little misunderstanding about it. If this is clear to

the Committee, I need not repeat it; but every witness who has been called has said that the rate should be three times the amount of the toll; that is to say, in other words, that the toll should be about three times the amount of the rate. Every witness concurs in that.

Chairman.] Not three times, surely.

Mr. *Waghorn.*] That the toll should be one-third of the rate.

Mr. *Pelham.*] That has not been so in the case of any canal that has been settled hitherto, and it is not in any case proposed by the Board of Trade this year; nothing like it. 0·50*d.* compared with 0·90*d.* is the proportion.

Mr. *Waghorn.*] At this present moment I do not know that I was going to suggest any serious alterations in that respect, but what I wished to point out to your Grace was that whatever influence the evidence might have had upon the Board of Trade, the evidence of Mr. Lloyd, Mr. Swindells, and Mr. Morton, was that out of a rate of so much, one-third only ought to be allotted to tolls. That being so, we are quite prepared to some extent to concur with Mr. Pelham, who says that out of a rate of 0 90*d.* only 0.50*d.* has been allowed. We know that it is too difficult a matter for the Board of Trade to adjust every theory and put it into absolute proportions; we admit the theory of 0·50*d.* to 0·90*d.*, but we do not admit that any such proportions as those handed in on the higher parts of the Schedule. For example, with Class 1——

Chairman.] But we are not now dealing with the Classes, are we?

Mr. *Waghorn.*] Yes, we are; we have put in our own amendments.

Chairman.] Yes, I see you are right.

Mr. *Waghorn.*] As my learned friend says, we are interested scarcely in the higher classes; the traffic that we are merely interested in is traffic in Class C. and Class 1; those are the principal ones. Now, in Class 1, the rates which the Board of Trade propose, and which we more or less acquiesce in, are 3*d.* a ton a mile, and one witness after another has told you that those rates are limited by competition; there is a railway going beside the canal, and they cannot get more than 2*d.*; and if they did the road conveyers would carry at 2*d.* a ton a mile; and I suggest to your Grace that we are most reasonable when every witness, their own witness included, comes before you and tells you that 0·66*d.* is a fair and reasonable amount for toll. We are willing to admit the 1*d.*, because it is given by the Board of Trade all round, but we do say that it is utterly destructive, and it is entirely annihilating all the possibility of our ever competing with the Rochdale Company if you give them the 1¼*d.*, when they are bound to carry at a rate of 2*d.*

That is not quite all; I have one further observation to make upon that point as illustrated by Table I., which they have themselves put in. They cannot get these rates, even the rates if they are put in cannot be got; and they show it themselves in their Table I. They put in a Table showing you what traffic is carried at rate traffic. I will ask your Grace and the Committee to look at the last figure of Class 3 traffic. They put this in as typical traffic. They carry 4,500 tons of traffic at Class C. Their maximum rates, as they ask for them, are at 2·75*d.* The arithmetical proportion between what they ask for, and what they actually get, will show you what that rate per mile is that they get; they do not get the 22·77*d.*, which they say their proposal would give them, but they get 16·35*d.*; that is to say, their rates upon Class C. for freight will show that they carry at 1·53*d.* per ton per mile, and yet it is proposed that we should pay 1·25*d.* if we have anything to carry. I submit that any toll whatever that is in excess of those tolls that are asked for by ourselves, and my learned friend Mr. Balfour Browne, and which the Board of Trade have generally allowed, would utterly destroy the carrying traffic upon this canal altogether. They paid 30,000*l.* to purchase two of their competitors; but if these tolls are granted they need not pay a single farthing more, for no single carrier can ever carry a ton upon the canal.

Mr. *Whitehead.*] Your Grace, I will not go over any ground which has been covered by my learned friends; but I want to draw the attention of the Committee to this point, that what they are discussing is whether the company shall, or shall not, incur a loss of, what they call, 359*l.*

Mr. *Cripps.*] £.479.

Chairman.] We rather like your scale.

Mr. *Whitehead.*] I have nothing to do with anybody else's scheme, your Grace; I have no scheme before the Committee.

Chairman.] That is what we are dealing with now.

Mr. *Whitehead.*] Then I must have an opportunity (I do not care when) of arguing with regard to the proposals put forward by the company. I thought you were dealing with that matter.

Chairman.] I suppose you may do that.

Mr. *Whitehead.*] It is quite immaterial to me when——

Chairman.] You had better go on.

Mr. *Whitehead.*] I say 359*l.*, because the company themselves admit (although I doubt whether it is the fact) that they will incur a loss of 479*l.* by their own proposal; so that it is only the difference between that and 838*l.* which is in dispute. Against that loss of 359*l.* you have to set a gain of 756*l.* on the empty boats and certain other gains. The company say "they will not be able to get them all, but we call them gains; and you have to set against that all the gains set out on Table E., their own Table. I take only one illustration, Class A. traffic. Their actual revenue is 752*l.*; the Board of Trade without the bonus (I do not know what the effect of the bonus will be) have given them 861*l.*; so that there you have a further margin of 144*l.*, and that is probably increased by the bonus, because a large proportion of coal traffic, as was explained by Mr. Dykes, passes along that portion of the canal between Bridgewater and Ashton. So that I think we may take it upon those two items of charge they have a margin, or gain as I should call

call it, of over 100*l.*, which can be set against this possible loss of 359*l.* and which wipes it out altogether. For the Committee must remember this; that there has been a significant silence as regards Class A.; the companies make no proposal with regard to Class A. They have worked out the figures, of course, with regard to Class A., and if they had found that there would be a loss there, you may be quite sure that they would have put it before the Committee. I think I showed the Committee yesterday that upon Class A. traffic they get 0.75*d.*, which is 50 per cent. higher than the normal scale; and, in addition to that, they have got the bonus mileage. Just consider what the effect of that will be upon Class A. traffic. The bulk of Class A. traffic, a very large proportion, as Mr. Dykes said, passes upon that strip between the Bridgewater and Ashton Canals; that is to say, it will be affected by the decision of the Committee yesterday, to increase the mileage by three. Therefore, upon that traffic I must multiply the 0·75*d.* by three, coming altogether to 2·25*d.* as compared with 0·50*d.* the typical figures; in other words, upon all that traffic in Class A. they will be getting four and-a-half times as much as has been allowed to typical canals. That is why they said nothing about Class A. That is, I submit to the Committee, why, when Mr. Somerset came into the box, he did not give any evidence as to what the effect of the Schedule was with regard to Class A. If they have got all that with regard to Class A.; if they have 900*l.* margin somewhere else; if, at all events, they have got 700*l.* margin upon the empty boats; and they have got that power to charge four and-a-half times the typical charge on Class A. going over that piece of canal; then I say that they have sufficient in their hands to enable them to meet that apparent loss.

One more word on what I obtained from Mr. Somerset in cross-examination,—that they have not calculated either what the effect will be upon the through traffic. After I had asked Mr. Somerset I turned to their Table F. to see what amount of traffic went for a distance of over five miles. He said he had only dealt with traffic that went distances of five miles. I find that out of a total traffic for the two months of 102,000 tons, about 71,000 tons went for distances of five miles, and the rest, about 31,000 tons, in two months, went for distances of over five miles. That 31,000 tons in two months, or 186,000 tons in the course of the year, was not dealt with by Mr. Somerset in his figures; and upon all that traffic it is admitted that their proposals will give them a further and an increased power of charge, which has not been put before the Committee. I will not trouble the Committee with any details of that, but I will take it in this way. In Class B. they are now asking for 0·90*d.* instead of 0.75*d.*; that is to say upon each mile of that distance they propose an increase of 0.15*d.* on those 10 miles, making altogether 1½*d.* upon each ton. Something of that sort upon Class A. Upon Class C. they propose to alter 1*d* into 1·20*d.*, and that difference, again, multiplied by 10, shows a difference upon that class of 2*d.* upon each ton. If they are going to get an increase of either 1½*d.* or 2*d.* upon every ton of that 180,000 tons per year, then I think that that is a proposal which cannot commend itself to the Committee; it is a proposal which has not been fully explained to the Committee; and therefore I ask the Committee to reject the proposal and to leave the figures as they stand in the Board of Trade Schedule.

Mr. *Cripps.*] In reference, first of all, your Grace, to the counter proposals put forward by my learned friends, Mr. Balfour Browne and Mr. Waghorn, we have had no evidence at all as regards them, except the statements made by Counsel, and those so far had not much reference to the special circumstances of this particular case. But so far as our proposal is concerned, that is the proposal of the Rochdale Canal Company, it has been met in this way. It is said, You will not actually suffer the loss that you say you will under the proposal of the Board of Trade, because there are certain theoretical gains that you have not calculated upon the other side. If you are to get theoretical gains, that means that you must put up the existing actual charges above the level at which they stand at the present time. When you consider that that is the real case which my learned friend, Mr. Waghorn, put forward on behalf of the traders apparently, one does not wonder that he did not call any trader to say that he would desire the actual charges to be raised, so as to recoup the canal company against the diminished charges in reference to the new maximum; because, of course, no trader would come and support the argument of my learned friend. No trader will come forward and say that we ought to make theoretical gains in the sense of making the actual charges higher than they are at the present moment. Where is the trader who comes and suggests that? Our position is perfectly sound, whether you take the through traffic, or the local traffic, or the five-mile traffic. We argue that as regards the most important part of our traffic, if you are dealing with existing actual charges, we make this loss of something under 400*l.* a-year. It is all very well for my learned friends to tell you that, but where is the trader who is coming to say that we are to make up against that loss by raising the actual charges to some higher level than we are making at the present time? It all depends upon that, and as Mr. Somerset said in the box, when some of the railway companies attempted to do it under the railway Schedules, all the difficulties arose with their various traders and clients over their systems; and I should like either my learned friend Mr. Balfour Browne, or my learned friend Mr. Waghorn, to have called one single trader who for one moment would have supported their argument, that we, as a canal company, ought, as a matter of business, to raise the actual charges which at the present time they say are as high as any particular trade can bear. I do not wonder that they called no witnesses.

Your Grace, I think that is really the important point here. Are we to be subjected to this loss or not? I will not go into what are called typical cases. We have a free margin of about 1,000*l.* a-year; the Schedule stands as it is now with the Board of Trade tolls, we should have about 900*l.* a-year taken off that free margin, leaving us, I will not say, in a position of bank-

ruptcy, but within 100*l.* of it; and when I used the expression the other day of keeping the canal open, it was not in the sense that my learned friend Mr. Balfour Browne used it; but that we should have sufficient money for all purposes of trade whether canal trade, toll trade, or railway trade. And so far as the amount of traffic is concerned, Mr. Dykes himsaid, in the box, that at the Manchester end of the canal we could not carry any more traffic, that the canal was actually occupied; it was more like the Metropolitan or the Metropolitan District Railway in London, occupied up to its full capacity at the present time. I do not know what becomes of my learned friend's suggestions on the various points of prejudice, but the simple issue is this, that we cannot raise the actual charges, and that no trader will come and say that we ought to do so; and if we cannot do that, and our actual charges are not covered in particular cases, so that we lose revenue, is it desirable that the Rochdale Canal Company, being a company with a free revenue of 1,000*l.* a year, should have 900*l.* taken off, leaving them with a free revenue of 100*l.* a year? That is the very simple case on the special circumstances of the Rochdale Canal Company.

Sir *William Houldsworth.*] Would you look, Mr. Pelham, at your statement on page 294, at the bottom of the page; there is a misprint I think, and I want to clear it up; I think I know what it means. You say: "When they get 20 or 30 miles they get all they want, and I am inclined to mention it now that, if this was given, the three miles in the Table of Tolls," that I think should be "the third column in the Table of Tolls."

Mr. *Cripps.*] Yes, it must be so.

Mr. *Pelham.*] I do not think I have got the point yet.

Sir *William Houldsworth.*] It is at the bottom of the page in the first column.

Chairman.] Six lines from the bottom.

Mr. *Pelham.*] Yes, the "third column," it should be.

Your Grace of course appreciates the very difficult position in which I am, appearing for the Board of Trade; in a sort of way I represent the Board of Trade, and in another sense I may say that I am the court that is being appealed against; and I feel a great difficulty about expressing my views upon these subjects.

Your Grace will remember that yesterday I made a suggestion to the Committee; it was not to suggest that a bonus mileage should be given, but that if it was given it should be done in a certain way. Now the Committee, I think, invited me yesterday to confer with the company as to whether there should be any reduction in the long distance. I met a representative of the company this morning, but I was not able to come to any arrangement about it, because I found that the company proposed to move their amendment for higher tolls; but I wish to call attention to the fact that the principal traffic to which this amendment relates is the short-distance traffic, and more particularly at the Manchester end; and, therefore, I would suggest whether this is not almost a reopening of what was decided by the Committee last night, so far as regards Classes B. and C. I admit that, as a matter of form, the company are fully within their right in moving this amendment; but what I suggest is that in fixing the bonus mileage at the Manchester end, the Committee must have taken into consideration the amount of tolls; that the bonus mileage might have been disallowed altogether if the Committee thought that they were going the next day to be asked to give very much higher mileage tolls. I just submit that for the consideration of the Committee.

But I also want to suggest that this relates to traffic all along the canal, all short-distance traffic, and, in fact, all long-distance traffic; because the form of the amendment, as now submitted, would make a higher toll even for 20 or 30 miles, although I understand from Mr. Cripps that they would be willing to reduce the longer distance to meet that point.

Mr. *Cripps.*] We are willing to accept your suggestion on that.

Mr. *Pelham.*] But I wish to say, with regard to the Board of Trade, that they think that this would be a very excessive toll. I want to point out what the effect would be, first of all, upon the Ashton traffic. That through traffic coming from Bridgewater on to the Ashton Canal goes one mile and a half, and the proposed amendment would give 0·50*d.* on 4½ miles; that is about 0·65*d.*, or more than a halfpenny extra on all that traffic in Class B. It would give 0·20*d.* on 4½ miles, which would be 0·90*d.*, or very nearly 1*d.* on Class C. going an actual distance of over 1½ miles. Then if you take the first 10 miles, it would give an extra toll of 1½*d.* and 2*d.* on the first 10 miles, which is geographically only 4¾ miles. The Board of Trade think that, having regard to what the Committee gave the company last night, this amendment would give a very undue margin on the existing actual tolls; and, therefore, the Board of Trade, so far as it is possible for the Board of Trade to object before the Committee, would object to any increase. I should like to be able hereafter to say something about the reduction on the long-distance traffic, when the Committee have decided what the tolls shall be, whether they accept the amendment or not.

Chairman.] You have addressed yourself now to the amendment that is proposed by the company?

Mr. *Pelham.*] Yes.

Chrirman.] We have another amendment before us proposed by Mr. Balfour Browne for his clients.

Mr. *Pelham.*] I think, having regard to what was decided by the Committee last night, it would be utterly inconsistent to accept that. That is what I understand to be the opinion of the Board of Trade.

Then, your Grace, I was going to say, that supposing the Committee adopt the Table of tolls as proposed by the Board of Trade, even if they reject the amendment of the company, I suggest that there should be a slight reduction in the third column; that is to say, that in consideration of the Committee having given the company an

an extra bonus mileage at the Manchester end, and an extra bonus mileage at the summit pool, there should be 0·10*d.* struck off the third column all down on all classes, that is to say, the third column instead of reading 0·50*d.* on Classes A. and B. on page 17 should read 0·40*d.*, instead of 0·60*d.* it should read 0·50*d.*, instead of 0·85*d.* it should read 0·75*d.*

Sir *William Houldsworth.*] Will you give us those again?

Mr. *Pelham.*] It is 0·10*d.* off each.

Sir *William Houldsworth.*] That is a little variation in your suggestion of yesterday, which was that that column should go out, and that the next column should be inserted.

Mr. *Pelham.*] Yes, it is a variation, as a concession to the company.

Mr. *Cripps.*] We would accept Mr. Pelham's suggestion of yesterday if we got the increased toll; that is why we said that.

[The Committee deliberate.]

Chairman.] We accept the Schedule of the Board of Trade with the third column amended as suggested to-day by Mr. Pelham; that is to say, that 0·50*d.* in the third column will read 0·40*d.*; 0·60*d.* will read 0·50*d*, and 0·85*d.* will read 0·75*d.*

Mr. *Balfour Browne.*] If your Grace pleases.

Mr. *Pelham.*] Then that finishes that canal.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

(Bridgewater, &c., Canals).

Trent Navigation.

Mr. *Balfour Browne.*] Your Grace, when we adjourned the Trent Navigation yesterday, Mr. Pelham had been good enough to make the suggestion that one of the figures which I put before your Lordship's Committee was not quite correct; he suggested that the 19·5*d.*, I think it was, should be 16·34*d.*, and I promised to have the matter looked into. You will not find it in the Table; it was in what I said I would prove, and what I will prove ultimately. He suggested that it should be 16¾*d.* instead of 19*d.* That, of course, would have modified my statement, because it would have shown that the Board of Trade had reduced the powers of present charge. My allegation was that in every case the Board of Trade had increased the powers of present charge. I was very much obliged to Mr. Pelham for mentioning that, because he gave me an opportunity of going into it. Now, my figure of 19*d.* was wrong, but Mr. Pelham's figure of 16¾*d.* was also wrong. I will prove that, of course, in good time. It comes out at 18·75*d.*, and therefore my statement that the Board of Trade had increased the amount of the tolls was correct, although it was not correct to the same extent that I had mentioned it.

Mr. *Lewis Coward.*] You mean from Wilden Ferry to Gainsborough?

Mr. *Balfour Browne.*] Yes.

Chairman.] At what page is that?

Mr. *Balfour Browne.*] Just at the end of yesterday's proceedings, your Grace.

Sir *William Houldsworth.*] I think you were referring to iron.

Mr. *Balfour Browne.*] Iron in Class 1.

Sir *William Houldsworth.*] Sixty-eight and a-half miles at 1*s.* 6*d.*

Mr. *Balfour Browne,*] Yes; you will find it just on the last page, 312: "Mr. *Pelham.*] You said that on iron the Board of Trade proposal would enable them to charge 19·7*d*? Mr. *Balfour Browne.*] Yes; but iron would come in Classes C. and 1. Mr. *Pelham.*] You made a mistake in not allowing for the last 18 miles; it goes for only ¾*d.* for the whole distance. It is 20 miles at ·50*d.* (10*d.*); it is 30 miles at ·20*d.* (6*d.*); 18 miles at ·75*d.* (¾*d.*), making 1*s.* 4¾*d.*" That is to some extent right, and to some extent wrong. It works out in this way: 20 miles at 0·5*d.*, 10*d.* Mr. Pelham is right there, but in the 30 miles at 0·2*d.* he is wrong; it ought to be 39½ miles at 0·2*d.*; and the 18 miles at ¾*d.* is not right, it ought to be 12 miles at *d.*; and that works out altogether to 18·75*d.*

Mr. *Lewis Coward.*] What distance do you give for tideway there?

Mr. *Balfour Browne.*] Twelve miles.

Mr. *Lewis Coward.*] Fourteen miles.

Mr. *Balfour Browne.*] I am oing to prove it. You have given no evidence at all except through yourself. That bears out my statement, your Grace, that I made; that that is an increase of toll. Their present charge, according to the Act of 1858, for the same distance would be 18·25*d*, as against 18·75*d.* The Table, as corrected, I will put in when I call witnesses before you. I am very much obliged to Mr. Pelham, because he has allowed me to correct an error: but at the same time I do not think he has vitiated the statement which I made, that it was an increase, though not so large an increase as 19*d.*

Mr. *Lewis Coward.*] Then you withdraw the Table which you handed to me last night?

Mr. *Balfour Browne.*] Yes, and I have handed you another.

Mr. *Lewis Coward.*] Are those the only alterations in the Table?

Mr. *Balfour Browne.*] You have altered all these distances all the way down.

Mr. *Lewis Coward.*] Is that the only mistake that you suggest in the Table which you handed in last night?

Mr. *Balfour Browne.*] There are several.

Mr. *Lewis Coward.*] But if that Table is withdrawn——

Mr. *Balfour Browne.*] Yes, I withdraw that Table, and will hand in this one, and I will prove it now.

(*The same is handed in, and is as follows:*)

(A.)

River Trent Tolls.

1. As per Bill.
2. According to 1858 Act.
3. Proposed by the Mansion House Association.

——	Miles.	–	1, 2, 3, 4, 5.	A. and B.					C.
			Merchandise, (all articles and things.)	Plaster.	Coals and Lime.	Stone, Gravel, and Sand for Road Repairs.	Soil, Marl and Manufactured Manure.	Night Soil, Stable Manure, and other Manure not Manufactured.	
Wilden Ferry	68½	1	18·75	18·75	9.75	9·75	9·75	2·	18·75
and	3½	2	18·25	9·25	9·25	4·75	4·75	2·50	18·25
Gainsborough.	72	3	15·75	8.25	8·25	8·25	8·25	1·50	11·25
Wilden Ferry		1	13·35	13·35	6·67	6·67	6·67	2·	13·35
and	36¾	2	12·	6·	6·	3·	3·	1·5	12·
Newark.		3	10·35	5·17	5·17	5·17	5·17	1·5	7·01
Nottingham	55	1	16·05	16·05	8·40	8·40	8·40	2·	16·05
and	3½	2	12·25	6·25	6·25	3·25	3·25	1·75	12·25
Gainsborough.	58½	3	13·05	6·90	6·90	6·90	6·90	1·5	9·22
Wilden Ferry		1	6·75	6·75	3·37	3·37	3.37	2·	6·75
and	13½	2	6·	3·	3·	1·5 *	2· *	1·	6·0
Nottingham.		3	5·70	2·85	2·85	2·85	2·85	1·50	3·52
Nottingham		1	10·65	10·65	5 3	5·3	5·3	2·	10·65
and	23¼	2	6·	3·	3·	3· *	3· *	1·5	6·
Newark.		3	7·65	3·82	3·82	3·82	3·82	1·50	4·98
Newark		1	10·62	10·62	5·68	5·68	5·68	2·	10·62
and	31¾	2	6·	3·	3·	3· *	3· *	1·5	6·
Gainsborough.		3	7·70	4·22	4·22	4·22	4·22	1·5	5·21

° Or any less distance than the whole of such portion of the Navigation.

MR. JOSHUA FELLOWES, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Whitehead.*

3963. You are a Justice of the Peace for the county of Stafford?—Yes.

3964. And one of the managing directors of Fellowes, Morton, and Clayton (Limited)?—Yes.

3965. And you are also a director of the Severn Canal Carrying Company, Limited?—Yes.

3966. And both those companies, I believe, own and work a large number of barges?—Yes, a very large number.

3967. And boats and steamers?—Yes. I think we have altogether, the two companies, something like between 400 and 500 barges, steamboats, and steam-tugs, and boats of different descriptions.

3968. So that you have had a very considerable experience over many navigations?—Yes. We traded for a very large number of years all over the navigations between Hull and Bristol, and between London and Liverpool, and a great many other canals going out of those main lines.

3969. So that you are thoroughly familiar with the circumstances under which traffic can be carried upon canals?—I ought to be; I have had 45 years' experience without intermission.

3970. Now, passing to this Trent Navigation; I believe that in former years you used to carry a very large amount of traffic upon that navigation?—Yes, we used to carry a very large quantity between the neighbourhood of Birmingham, and that district, and Hull. It mainly consisted of timber and grain, and articles that are now in Classes A., B., and C.

3971. About what period was that?—From 1854 to 1872; I myself conducted a very large business upon the River Trent.

Chairman.

3972. On this canal?—On this River Trent, your Grace.

Mr. *Whitehead.*

3973. Can you give the Committee any figure as to about the amount of traffic in a year which you carried on the Trent in those articles that you mentioned?—The average quantity would be about from 40,000 to 60,000 tons a year. We always used to reckon it a bad week if we had not done 1,000 tons a week in those articles.

3974. At that time what toll did you pay to the navigation?—At that period that I name we paid 6*d.* a ton, the maximum toll then being 1*s.* 6*d.* on all articles that would now be represented by Classes A., B., and C., and on the higher classes we paid the full toll of 1*s.* 6*d.* a ton.

3975. That 6*d.*, of course, was the toll for the whole navigation?—Yes; from Wilden Ferry to Gainsborough.

3976. About what did that represent in money to the trustees of the navigation?—From 1,000*l.* to 1,500*l.* a year.

Mr. *Whitehead*—continued.

3977. Do you still carry traffic?—Not any of that at all.

Chairman.] Since 1872?

Mr. *Whitehead.*

3978. When did you cease carrying that?—We ceased carrying that in 1876, in consequence of the toll having been raised from 6*d.* to 9*d.* a a ton. That additional 3*d.* about represented the profit that we made.

3979. At the time you were sending this large volume of traffic over the navigation, was the Trent Navigation a successful one financially?—Very. They paid a dividend; they were limited by Act of Parliament to 6 or 7 per cent., and for all the years, 20 years, or more than that, they paid the full dividend, and had a very good reserve fund up to about the date that I named.

3980. What happened in 1872?—In 1872 they gave us notice that they intended to advance the toll 3*d.* a ton on those articles.

3981. Did you acquiesce in that advance?—We did not. We represented to them that the result would be that we could not carry on at a profit if they did.

3982. But I understand that you did go on carrying up to 1876?—Yes; we gave notice, and represented the thing several times, and said that if they would not revert to the 6*d.* toll we should be obliged to discontinue the trade.

3983. And you did discontinue the trade in 1876?—Yes, gradually. For those four years, from 1872 to 1876, whenever we had an opportunity of selling a boat or two we sold it to anybody who would come and buy it; so that from 1872 we sold off, as we had opportunity, a boat to anybody, and reduced our stock of boats very considerably, and at the end of that time all the boats and plant that we had left we sold off by auction, and ceased to carry altogether on the Trent.

3984. I think that now the Trent Navigation is not in a good financial position?—Not at all; they are losing considerably. Their balance-sheets show a loss every year.

3985. And when did the change, the turn of the tide, come?—Ever since 1876. I have not the accounts, but I know, as a matter of fact, from my own knowledge, that they have been getting worse and worse, until now they can pay nothing. They do not pay their shareholders any money, or any interest on debentures, or anything of that kind.

3986. And that came at the very moment when they drove your traffic off the navigation?—Yes, I believe from the very moment, from 1876; I cannot trace it.

3987. How long did that state of things continue?—After 1876, for some years, I think the Trent Company themselves began to carry a little, and they carried our traffic in their boats from Wilden Ferry to Hull and the Humber, we bringing it in our canal-boats to Shardlow or Wilden

Mr. *Whitehead*—continued.

Wilden Ferry, and then transferring it into their boats.

3988. But you yourself did not carry in your own boats?—No, excepting, I may say, in small narrow boats trading between Nottingham and London and Nottingham and Liverpool; just on that part of the navigation.

3989. But that exception does not apply to the traffic you are mentioning—through-traffic from Wilden Ferry to Gainsborough?— Not at all.

Chairman.

3990. I understood you to say that you took every boat off in 1876?—Every boat off the Trent. There are different kinds of boats. We do work our narrow canal-boats to Shardlow and tranship into the Trent Company's boats at Shardlow.

3991. Then you did not get rid of the whole of your plant?—Yes, we did; all the plant for wide boats working on the Trent.

3992. But you have narrow and wide together?—Yes, but the narrow boats do not carry beyond Shardlow; they do not carry beyond Wilden Ferry.

3993. What you got rid of were the wide boats?—Those were wide boats that used to work on the Trent; they are double the width of the boats that work on the narrow canals. All the wide boats are disposed of.

3994. And kept the narrow ones?—Yes, to work in other directions.

Mr. *Balfour Browne.*

3995. Not on the Trent?—No.

Mr. *Whitehead.*

3996. Those narrow boats come up to Wilden Ferry, which is the termination of the Trent Navigation?—Yes.

3997. And then you tranship into the Trent Navigation boats?—Yes.

3998. Could you explain that to the Committee. At the end of the cartoon, figure 19, I think it is; I cannot quite read it. That is the commencement of this navigation?—Yes.

3999. And it is to that point to which your narrow boats come?—Yes.

4000. Along another navigation?—Yes, along the Trent and Mersey Canal to Wilden Ferry, and then tranship into wide boats at Wilden Ferry to be taken on to Hull.

4001. The change took place in 1892, I think?—Yes, in 1892 the arrangements that we had had with the Trent Company, whereby we did part of the work, and they did the other part, were very unsatisfactory; owing to the delays on the river Trent, and one thing and another, we were not able to carry on the business with satisfaction.

4002. That is to say, that when they did the carrying for you, it proved unsatisfactory to you and your customers?—Yes.

4003. Then did you begin to carry once again in your own boats?—We began in 1892 to carry in the Trent boats—the wide boats we call them—carrying the traffic the whole distance from Staffordshire and Birmingham to Hull.

4004. What induced you to do that at a 9*d.* toll?—We have not done anything of that kind; the traffic that we used to carry we have not carried, that timber and grain, and those things at all.

4005. That traffic has gone entirely?—That traffic has gone entirely; we do not get an ounce of that now that we used to carry 20 years ago, in Classes A., B., and C.

Chairman.

4006. What do you get?—Some traffic in Classes 1, 2, 3, 4, and 5, for which we pay the maximum toll of 1*s.* 6*d.*, and can just manage to do that.

Mr. *Whitehead.*

4007. I believe you were asked to conduct the traffic in your own boats by your customers?—Yes; and also urged by the Trent Company to put our boats on.

4008. When they urged you to do that, did you ask them to make any modification of the tolls?—Yes; we told them that we could not afford to pay the present tolls, and that they must assist us by reducing the tolls to enable us to bring the traffic on the canals again, and on the river.

4009. Did they do that?—They did not. We represented it to them every year, and at stated intervals, and they have never made any reduction whatever.

4010. What amount do you pay to the Trent Navigation at the present time upon that traffic?—Between 700*l.* and 800*l.* a year.

4011. That is traffic paying a toll of 1*s.* 6*d.* a ton?—It pays various tolls, that is upon the whole of the traffic.

4012. Did you reckon up to see whether it was profitable or not?—Yes, and found a serious loss.

4013. How much?—In two years 669*l.*; 1892 and 1893.

4014. Did you in 1893 pay again about 700*l.* a year?—Practically the same, perhaps a little more.

4015. In those two years you paid to the navigation 1,400*l.* in tolls?—That is so.

4016. And made a dead loss of 600*l.* yourself?—Yes, and that loss is not representing anything for establishment charges at all.

4017. That is a dead loss out of pocket?—Yes.

4018. You cannot continue it?—It is impossible to continue it; we told them so at the end of the first year, and also again six months ago.

4019. About what proportion does your traffic bear to the total traffic upon the navigation?—The amount of receipts from tolls in the year 1893 was 1,754*l.* 7*s*, 3*d.*

4020. Out of that what amount did you pay to them?—£394*l.* 16*s.* 2*d.*

4021. Can you continue to pay the 700*l.* a year if they obtain the powers and enforce them as they do at the present time?—We certainly should not with any advance in the tolls, and it is almost certain that we should not if we paid the same tolls as at present.

4022. If you took that traffic off their navigation they would lose about 40 to 50 per cent. of the total toll-paying traffic?—They would lose, say,

Mr. *Whitehead*—continued.

say, 600*l.* out of the 739*l.* 16*s.* 2*d.* which we pay them.

Mr. *Lewis Coward.*] We might carry it.

Chairman.

4023. I understand you now pay them 700*l.* odd?—Yes.

4024. And if they put on the high tolls they would then lose 600*l.* out of the 700*l.* odd?—That is so.

Mr. *Whitehead.*

4025. If that traffic went along another navigation at all it would go in their own boats and they would get a profit as carriers?—Yes, if they chose to increase the loss that they incur now. They carry at a very large loss; they do not pay any tolls themselves at all.

4026. Therefore it would be a great advantage to the navigation if the tolls were reduced and this traffic were encouraged?—Undoubtedly.

4027. That is, speaking generally, the direction in which your amendment is moved?—That is what I have been urging upon them the last two years, to reduce the tolls and have more traffic.

4028. And now you ask Parliament to assist them in carrying out a wise policy by reducing the tolls fixed by the Board of Trade?—Yes.

4029. You wish to assist the navigation in developing traffic by reducing the tolls?—Yes, and that is the only way by which they can get an increase of income.

4030. Have you considered in detail the proposals with regard to one month's traffic?—Yes, I have.

4031. Can you tell the Committee what the total of the existing charges which you pay at the present time upon that traffic is?—I have taken a month's account from March in the present year. The amount which we have paid them in tolls, which are their full maximum tolls in every case, I believe, is 76*l.* 2*s.* 5*d.*

4032. That is what you now pay?—That is what we have paid in the actual month I have named.

4033. What does the Board of Trade Schedule authorise them to charge?—The Board of Trade now increase that to 98*l.* 0*s.* 5*d.*

4034. What do your proposals enable them to charge?—Our proposals on the difference between the 15 and the 20 miles would give them 81*l.* 6*s.*

4035. You have two amendments, one altering the distance, and another affecting the tolls in Class C.?—In Class C.

4036. This 81*l.* 6*s.* is the alteration which would be effected by a change in the initial column from applying to 20 miles to applying to 10 miles?—Yes, that is so.

4037. If that amendment were carried, and your later amendment were acceptable to the Committee you would cover the existing actual tolls?—Yes. We should be paying them about 5*l.* more.

4038. A margin of about 7 per cent.?—I do not know the percentage. It is 76*l.* as against 81*l.*

4039. Have your navigation shown you any consideration or assisted you in any way to develop your traffic; putting aside the question of tolls?—Not in any instance or any way that I can imagine at all.

4040. They are charging their maximum?—Yes, in every case they charge their full maximum.

Chairman.

4041. That is 1*s.* 6*d.*?—Plaster, lime, and coal in their Act are half the tolls of other articles.

Sir *William Houldsworth.*

4042. You say they do not assist you in any way; what would you expect them to do outside the tolls; the question is whether they have given you any assistance, putting aside the question of tolls?—I should have expected they would have improved the navigation considerably; but they have not done it.

4043. In what way?—By making it deeper; they have dredged the part of the navigation between Newark and Gainsborough, which has given us some little advantage, but not since we started. Then we thought they would have continued the dredging from Nottingham to Wilden Ferry, which has not been done.

Mr. *Whitehead.*

4044. If you wish to obtain some concession in the matter of tolls from the navigation, to whom do you make the application?—I have always made application, as a rule, to the chairman, Mr. Riddle.

4045. Is he the manager of the canal?—No, he is the chairman.

4046. Who is the manager?—Mr. Rolfe is the general manager and engineer.

4047. Where does he reside?—I believe he resides in the neighbourhood of Nottingham; but he is principally engaged in London, and his office is in Parliament-street.

4048. He is an engineer in Westminster, is he not?—Yes.

4049. You are responsible for the accuracy of these Tables which have been placed before the Committee, are you not?—Yes.

4050. In the first column you have taken for the distances over which the traffic is carried, certain groups, Wilden Ferry to Gainsborough, Wilden Ferry to Newark, Nottingham and Gainsborough, and so on; who selected those?—They are taken from our own Schedule which was produced before the Board of Trade.

4051. Under their existing powers they have certain rates which apply to certain zones on the canal?—Yes.

4052. Therefore, in order to compare their existing tolls with the proposed new tolls, you have dealt with these zones for the traffic between Wilden Ferry and Gainsborough as being one toll taken between Wilden Ferry and Gainsborough. I see 68½ miles, and 3½ miles, 72 miles?—Yes, and that three and a-half miles represents the Newark Navigation which they have hitherto charged separately, for going over the three and a-half miles. They charge 1*s.* for going over it, but now we have in these Tables given credit for the 1*s.*, and reckoned it a ¼*d.* a ton, taking 48 tons at one boat. We give that credit

Mr. *Whitehead*—continued.

credit because the Tables are worked out including the distance of three and a-half miles.

4053. You have taken, first of all, their maximum powers upon the 68½ miles?—Yes.

4054. You say you have added something for the 3½ miles?—Yes.

4055. That something at their present maximum charge is 1*s.* a boatload on the Newark Navigation?—Yes.

4056. What is about an average boatload of the articles dealt with here?—I should think 50 tons when there is a fair average; I have taken 48.

4057. What is the maximum?—Some boats take 60 or 70 tons, or 70 or 80 tons.

4058. You take 48 as a fair average?—Yes.

4059. Forty-eight into a shilling works out at a farthing?—Yes, 18·25*d.*, that is the two together.

4060. One shilling and sixpence is the charge?—That is their maximum charge.

4061. And 0·25*d.* is their charge upon that calculation for the Newark Navigation?—Practically that is so.

4062. Now take the first line, No. 1 in the second column, that is the maximum as proposed by the Board of Trade in the Order, 18·25*d.*?—Yes.

4063. No. 2 is the maximum according to their existing powers?—One shilling a ton.

4064. And the third line, 15·75*d.* is the maximum proposed if all the amendments of the Mansion House Association are accepted?—Yes.

4065. Apparently upon the same distances your amendments ask for a less toll than they now charge?—Yes.

4066. And I think you give them a margin over their existing charge?—That is so.

4067. Take an illustratton; I see you have articles in Classes 1, 2, 3. 4, and 5; in the first distance they can charge 18·25*d.* now?—That is so.

4068. You would give them 15·75*d.*?—Yes.

4069. Whereas the Board of Trade have given them a ½*d.* over their existing powers?—Yes, 18·75*d.*

4070. Apparently, if I correctly follow these figures, in these first cases the Board of Trade have given them more than their existing powers?—Yes, in every one, I think.

4071. In the case of stone, gravel, sand, and soil, marl and manufactured manure, they have given them 9·75*d.* instead of 4·75*d.*?—Yes.

4072. And upon these articles, even your own proposals would give them a very large margin?—Yes.

4073. Now, taking traffic passing from Wilden Ferry to Newark, 36¾ miles, I see there you have made no allowance at all for the Newark Navigation as you did in the first case?—No; because I have taken the distances of the navigation company. In going that distance it is not necessary to go on to the Newark Navigation. I have left it out, both as to distances and the present charge. I have simply taken the distances on the river.

4074. It is not necessary to go on to Newark; therefore you have not put anything down in either column for it. On the first line of that group the Board of Trade propose to give them 13·35*d.* instead of their existing powers of 1*s.*?—Yes.

4075. You propose to make it upon these classes 10·35*d.*?—Yes.

4076. Giving yourself that reduction which you ask the Committee to allow as being reasonable?—Yes.

4077. Then upon the others, plaster, coal, and lime, I see the Board of Trade have enlarged their powers in the case of plaster from 6*d.* up to 13·35*d.*?—Yes.

4078. In the case of coals and lime they have given a margin of 6·67*d.*, and upon the other articles, stone, soil, and so on, they have about doubled their existing powers?—I should like to say, as regards plaster, that the reason why it has fallen into this position is that under their present powers they charge, for lime, coal, and plaster, half-tolls. Lime and coal will fall in Class A. and B., and that practically amounts to the same toll as the present tolls which we pay. But plaster being in a higher class in the classification in Class C., practically doubles the toll altogether.

Crosss-examined by Mr. *Lewis Coward.*

4079. Now, let us deal with the Table you were on last. I see you have calculated the distance at 68½ miles plus the 3½ miles; what is that for?—For the Newark Navigation.

4080. Is that included in the distance; do you know that?—No, I do not think it is.

4081. Who gave you the figure of 68½ miles to begin with?——

Mr. *Balfour Browne.*

4082. The Trent Navigation Company. It is in their own returns to the Board of Trade?—It is taken from the Trent Navigation Company's own return to the Board of Trade.

Mr. *Lewis Coward.*

4083. In that is included the two and a-half miles on the Nottingham Canal?—I think not.

4084. I think so. We ask for a toll over 66 miles only of the Navigation; you have added in the two and a-half miles on the Nottingham Canal in respect of which we get no toll, and by mistake you have added in the three and a-half miles of the Newark Navigation, which is included in our 66 miles?—I do not think it can be so.

4085. I will give you my authority?—The length of the Newark Navigation, first of all, Mr. Rolfe gave in his evidence before the Board of Trade at page 1123, Question 15059, as three to four miles, and in another place he puts it at three and a-half miles, so that we have taken three and a half miles as the Navigation. Then again at page 1116, Question 14883, he refers to it.

4086. We must know over what distance we enact the toll. You have sent your son to the Trent Navigation Company, have you not?—Yes, but I thought it better to take your own figures that are in print.

Mr. *Balfour Browne.*] It is not worth while disputing. We are at a great disadvantage, because

because we have not had any evidence from the other side; but we had evidence given before Mr. Pelham, and their own engineer said this. This is what the Commissioner asked: "What is the length of this cut?—(*A.*) About three and a-half miles, I think; three to four miles. (*Q.*) Then you will not propose to count it in your distance?—(*A.*) We do not count it in our mileage."

Chairman.] What is the mileage they give?

Mr. *Balfour Browne.*] Sixty-eight and a-half without that 3½ miles.

Mr. *Lewis Coward.*

4087. Mr. Rolfe did not say so there. If he did he made a mistake, and when you say you are under a disadvantage, did not your son come and see this gentleman Mr. Raynor?—Yes.

4088. Did not he give you all the facilities to obtain the mileage and tolls and so forth that he possibly could?—Yes.

4089. Did not you thank him and say he had removed a great number of your objections?—I should not think so.

4090. Did not he tell you that the mileage was 66 miles and that only?—I cannot say. I can only tell you this——

Chairman.

4091. It cannot be a question about which there is any doubt. Either it is 68 or it is 66?—It is 68 all through the papers I have seen.

Mr. *Lewis Coward.*] The mileage I shall prove is 66 miles; if you include the Nottingham Canal, over which we exact no toll, it is 68½ miles. Then after 66 miles there is the 3½ miles included of the Newark Navigation, and the addition of the three-and-a-half miles of the Newark Navigation is something that has appeared since last night; even in the Table that they submitted last night, it is not there.

Chairman.] It is not a very important point.

Witness.] I should like to say this, that I understand when the proposal was put before the Board of Trade the idea then was to charge the Newark Navigation separately.

Chairman.] We cannot go into that.

Mr. *Lewis Coward.*

4092. After the interview that your son had you withdrew a great many of your objections, did you not?—I do not think so.

4093. I first put the length as 66 miles, and I put to you these figures: that your first figure instead of being 18·75*d.* should be 17·15*d.*, you will not dispute that?—If I have been misled in the distances I cannot help it.

4094. If that is the figure, namely, 17·15*d.*, which the Order gives us, it is over a penny less than our existing charges by the Act of 1858?—I grant you that directly, if it so.

4095. Now go to the next one, Wilden Ferry and Newark, and just let me ask you this question first: You say you do not go through the Newark Navigation at all?—I did not say that.

4096. Yes, you said it was not necessary to go through the Newark Navigation at all?——

Sir *William Houldsworth.*] He did say so,

Mr. *Lewis Coward.*

4097. I suggest that you cannot go to Newark at all without going through that Navigation?—I took the distance on the Trent given on this paper. Is it the 31¾ miles that you refer to now?

4098. I am upon the mileage; you say it is not necessary to go through the Newark Navigation at all. I say you cannot go to Newark without passing through the Newark Navigation.

Chairman.

4099. Do you recollect saying that?—My impression is that I did not say it, and I was going to explain; I thought I had.

4100. What is your explanation?—I take the distance which is the one you refer to.

Mr. *Lewis Coward.*

4101. The second one, Wilden Ferry to Newark, which you have put at 36¾ miles. I suggest to you that the distance is 34¼ miles?—That certainly is on your Table 36¾ miles.

4102. Upon your Table?—On your Table.

Mr. *Balfour Browne.*

4103. It is upon their own Table that we have taken it?—I have taken the whole distances from their Table.

Mr. *Lewis Coward.*

4104. I understand you to say that in going from Wilden Ferry to Newark you do not go through the Newark Navigation at all?—I say you can stop short of going to Newark, simply stopping on the Trent, at the end of the Trent.

4105. I take your Table of tolls and what you put opposite to it. What you have written down is "Wilden Ferry to Newark."——

Chairman.

4106. The question is whether from Wilden Ferry to Newark you do or not go over the Newark Navigation?—My answer is, that you can go to Newark as far as the Trent will take you without going on to the Navigation.

Mr. *Lewis Coward.*

4107. If you stop short of Newark; is that your explanation?—My figures are based upon the 36 miles.

Chairman.

4108. Never mind what your figures are based upon. That is a question put by Mr. Coward to you to which you can give an answer?—As a matter of fact I do not know, because I have never gone to Newark at all.

4109. It would have saved a great deal of trouble and me a great deal of voice if you had said you did not know?—I take the Table here.

4110. But you are quoting a Table about which you know nothing; what is the good of that?—It is their Table and I adopt it.

Mr. *Lewis Coward.*

4111. I will follow out Wilden Ferry to Newark. I suggest instead of being 36¾ it is 34¼ miles (I will prove it afterwards), and that your figure which stands first, namely, 13·35*d.* should stand 12·85*d.*?—If you are right as to the distance of course it would.

 4112. Your

Mr. *Lewis Coward*—continued.

4112. Your next figure is 12*d.*; that is 1*s.*, is it not?—That is your present power.

4113. In addition to that you have got to add 2*d.* for the payment to the Newark Navigation?—If you have anything to add to it I suppose you must add to the distance too.

4114. If you have to go on to the Newark Navigation must not you add 2*d.* on to the 1*s.*?—If it is going on to the navigation and not going through I expect you would.

4115. So that it would be the present existing toll of 1*s.* 2*d.* which is cut down by the Bill to 12¾*d.*?—Will you put the question again?

4116. If my figures are correct, namely, that 34¼ miles is the proper figure, is it not the fact that we can charge at present 1*s.* 2*d.* where the Bill has cut us down to 12¾*d.* or 12·85*d.*?—Yes, I think it would be so.

4117. Now let us go in the same column to coals and lime. The Committee see coals and lime. I suggest that that first figure should be a slight alteration. I need not weary the Committee with it?—It would have to be necessarily altered.

4118. And that that 6*d.* should be 8*d.*, because there is 2*d.* toll to the Newark Navigation; what do you say to that?—We never carry any coal or coke at all.

4119. That is not what I ask you; I say if it goes over the Newark Navigation, is it right that the toll stands at present at 8*d.* instead of 6*d.* as you put it?—I cannot say.

4120. Do not you know that it is a 2*d.* toll?—I take it from you.

4121. You will take this from me?—Yes.

4122. Therefore, our present charge is 8*d.*; what is given us by the Bill is 6·42*d.*?—Yes.

Chairman.

4123. The figures are from Wilden Ferry and Newark?—Yes.

4124. Can you get to Newark without going over the Newark Navigation?—That is a question that geographically I do not know. I never was at Newark, and I do not know the geographical position. I was under the impression that you could get to Newark.

4125. You put in a Table of traffic going from Wilden Ferry to Newark?—Yes.

4126. I want to know whether you can get to Newark without going over the Newark Navigation?—As a matter of fact I do not know.

4127. Then how did you draw up the Table?—From the figures supplied by the Trent Navigation to the Board of Trade. I take the figures as 36¾ miles upon the Trent, I do not know whether it included the navigation or not.

4128. Then you cannot say whether, if you did have to go over the Newark Navigation, there was any toll for so doing?—Not on the Newark; you pay 1*s.* a boat if you go over the whole of it, but if you stop half-way it may be more than 1*s.*, a penny or twopence more.

4129. You say if you stop half-way, do you mean if the boat stops half-way between Wilden Ferry and Newark?—No, half-way on the Newark Canal; if it goes two miles upon the canal and stays there it pays more than if it goes through.

4130. What is the charge on the Newark Canal?—One shilling a boat if going on to the river again for Hull, and 1*d.* or 2*d.* more if stopping on the navigation.

Chairman—continued.

4131. Have you taken that in consideration in these Tables?—Yes, I have.

4132. I thought you said you did not know?—

Mr. *Balfour Browne.*] He has taken in the 1*s.* but not anything else, not the 2*d.* or anything else.

Chairman.] He tells us what the charges are between Wilden Ferry and Newark, and he does not know whether the traffic goes into Newark or not.

Mr. *Balfour Browne.*] So far as that is concerned Mr. Fellowes does not know the fact with regard to the charges and distances; all this is taken from the Table which the company themselves submitted to the Board of Trade; if that is inaccurate we shall be inaccurate, no doubt.

Chairman.] We are dealing with a witness who does not know the facts which he is brought here to tell us.

Mr. *Balfour Browne.*] No doubt that is so; but with regard to the distances we calculated them upon the Table put in by the Trent Company themselves.

Mr. *Lewis Coward.*] You must not say that. This gentleman sent his son to us and we gave him the actual distances over our navigation over which we drew the toll.

Chairman.] We need not argue that; but I want to know from this witness whether he knew he might stop short, but that if he went to Newark he would have to go over the Newark Navigation.

Mr. *Lewis Coward.*

4133. (To the *Witness.*) Start at Wilden Ferry and come down to Newark, taking your own course?—*That* is where we start (*pointing to the map*).

4134. Now then go over the Nottingham Canal, where the pointer is now?——

Mr. *Spicer.*

4135. How far have you been yourself?—I have been to Nottingham and Gainsborough; not anywhere between.

4136. How far have you been along the canal yourself; you say you have been working 25 years; how much of the canal have you seen?—I have not seen many miles of it, it took me all my time to go to my office and back again.

Mr. *Lewis Coward.*

4137. We have got to Newark; how are you going to get on anywhere near Newark unless you go to Newark Dyke, where the pointer is now?—Newark is evidently about half-way upon that canal; I did not know whether it was this end of the canal or the other end.

4138. I will not take up much time after your admission. Now, with regard to night-soil, stable manure, and other manure in that class; Wilden Ferry to Newark for night-soil manure, stable manure, and other manure not manufactured, by the Bill the Board of Trade have given us 2*d.*?—Yes.

4139. Our

Mr. *Lewis Coward*—continued.

4139. Our present powers, you say, are only 1½*d.* I suggest to you that there is 2*d.* also to go on to that, making it 3½*d.*?—Are you still referring to Newark?

4140. Yes; I thought you followed me. I am still upon the Wilden Ferry and Newark. Have you got the figures before you?—Yes.

4141. Have the Board of Trade given us 2*d.*?—Yes.

4142. Where we have been hitherto entitled to charge 3½*d.*, adding in the 2*d.*, you put it at 1½*d.*?—Yes, if you go on to Newark.

4143. You suggest that we should be tied down to 1½*d.* only?—We do not carry any of it.

4144. These are your figures that you put forward?—Yes.

4145. I will not weary their Lordships by going through any number of these, but on plaster unquestionably there is a slight injustice done?—I think a very great injustice.

4146. Plasters are of two kinds: there is ground plaster and unground plaster?—Yes, and you may say the same of flour.

4147. Ground plaster has to be treated, has it not, as merchandise, and naturally goes into Class C.?—It would fall into Class C. by this arrangement.

4148. And it is by reason of the classification which has been given to all the canals that we get this benefit on unground plaster in B.?—I think it cannot be intentional that the rates upon plaster are to be doubled; there must be a mistake about that.

4149. At the present moment we are bound to carry plaster in the same class as coal and coke?—Yes.

4150. The Board of Trade have put ground plaster into the higher class?—It falls into it.

4151. It is common to all the Provisional Orders; therefore you suggest that upon our canal it should be in one class; but that when it gets upon anybody else's canal it should go into another class?—No, I only suggest that on your own navigation it should remain as it is now, practically at half the toll of iron and other articles: upon that they can only charge the maximum of 9*d.* a ton for the whole distance, and charge 1*s.* 6*d.* upon the articles generally in the classes.

4152. Supposing it went on to another navigation; do you suggest that there should be one classification for plaster in the case of the Trent Navigation, and that upon other navigations it should remain the same?—Yes, it is so at present.

4153. In plaster there is to some extent an injustice done; but only as to ground plaster, not as to unground plaster?—I should say that the whole of the plaster dealt with in the account is ground plaster; there is no unground plaster.

4154. I understood you tell the Committee that there had been no improvement in the navigation?—I think I said very little; there has been none since we started.

4155. I understood you to say that we have not improved the navigation. Do you know that, whereas in 1887 the navigation was interrupted for a long period, throughout the whole drought of last year the navigation was uninterrupted?—I am in a position to say that that is not so.

Mr. *Lewis Coward*—continued.

4156. Where was it interrupted?—I say the navigation last year was such that several times we could not take more than half-loads in the boats.

4157. Where do you say the navigation was interrupted?—I cannot say the special point; but between Newark and Gainsborough, and more so between Newark and Wilden Ferry.

4158. Do you know what we have spent?—I do not know the amount; it is a large one, probably.

4159. You are a shareholder in the company, and have had this balance-sheet sent to you?—Yes, I had.

4160. I see there is dredging improvements, 17,923*l.* since 1887?—That is prior to the time I am speaking of.

4161. This is the balance-sheet for the half-year ending 31st December 1893. You do not dispute the figures that I read from the balance-sheet?—I should like to look. Money expended to 30th June 1893: dredging improvements, 17,923*l.*; lock at Newark, 2,800*l.*; addition to wharves and buildings, 2,650*l.*; navigation plant, 7,475*l.*; carrying plant, 7,822*l.*

Sir *William Houldsworth.*] Is that money expended in the half-year?

Mr. *Lewis Coward.*] No, it is a general statement since we obtained our Act.

Mr. *Balfour Browne.*] One hundred and tweny-five pounds in the half-year, as shown in the account.

Sir *William Houldsworth.*] How many years is it for?

Mr. *Lewis Coward.*] Five and a-half years.

Witness.] That is prior to the time I am speaking of. This present year for the whole of 1893 the amount expended on dredging improvements is 125*l.* 4*s.* 11*d.* in one half year, and 67*l.* 5*s.* 2*d.* in another; that is all the dredging in the year.

4162. Is there dredging going on now between Newark and Nottingham?—Not that I am aware of.

4163. You told us that you do not often go upon the canal. You told the Committee, or rather I took it from your Counsel's statement, that in 1872 we raised the tolls from 6*d.* to 9*d.*, and that in consequence of that you had to sell your plant?—Yes, about that time.

4164. You adhere to that statement?—Yes.

4165. Do you say that the toll on iron was raised, in consequence of which you sold your plant?—Yes; since about 1872; I will not be sure as to the year; they advanced our toll upon iron and raw material from 6*d.* to 9*d.*

4166. Did you have 5,000*l.* paid you in 1887 in consequence of the rise?—No; for a breach of contract with the Trent Company. They had a contract which they could not fulfil; it was based upon their improving the navigation; they did not do so, and it came before the Committee when they were in Parliament, and I asked them to fulfil the contract and give me another five years' contract, and they said, No; we would rather pay

Mr. *Lewis Coward*—continued.

pay you a sum of money instead. And for the breach of contract they gave me 5,000*l.*

4167. That is your version. Did you receive 5,000*l.* from the Trent Company?—Yes, for value received. They received more than that.

4168. I suggest that this iron rate was not raised until 1885?—I can positively say that it was raised upon me between 1870 and 1875.

4169. I hold in my hand a circular as far back as the 28th November 1873?—I am sure I cannot remember.

4170. I shall prove this circular, it says: "Only one-half the above rates taken for coal, lime, plaster, and iron." That is November 1873. Do you still in the face of this suggest that in consequence of the loss upon iron you were obliged to sell your boats?—What I stated in regard to it was the absolute fact, and within my knowledge; and here I produce the auctioneer's receipt for the boats that were sold at the time. This is the auctioneer's statement of account for the boats sold in 1876.

4171. I will hand the circular to the witness (*handing the circular to the witness*)?——

Mr. *Balfour Browne.*

4172. The total toll is 1*s.* 6*d.*, and half 1*s.* 6*d.* is 9*d.* according to my arithmetic, which is what Mr. Fellowes said?—I do not remember having seen a circular like this. Of course I could not say that I have not.

Mr. *Lewis Coward.*

4173. I understood you to say that we were charging our maximum tolls?—Yes.

4174. I suggest to you that that was not done on iron until 1885?—Your maximum toll at the time when we were paying 6*d.* was 1*s.* 6*d.*; and for a great many years, I will undertake to say for 20 years, we paid the 6*d.*, and when it was advanced to 9*d.* it made a difference of 500*l.* a year, which took the whole of our profit.

4175. You have taken the month of March 1894, in which you give your maximum tolls 76*l.*, 96*l.* for the Board of Trade, and 81*l.*?—£98, the Board of Trade.

4176. I suppose these figures are based upon some of these distances?—That I cannot possibly say.

4177. You put forward these figures?—No, these are not mine, because they do not happen to be the distances that were given to the Board of Trade. Now, I think this will explain the fact of my son going and getting the distances. There are several distances here not shown on this Table that we were referring to before, but we have not the distances. These are taken from your actual figures, I believe.

4178. However, we have taken out the tolls for a month, the same month as you have taken, but in the previous year, March 1893, and our total tolls payable to us under our existing powers in that month were 339*l.* 10*s.* 11*d.* The tolls proposed by the Board of Trade would come to 339*l.* 6*s.* 4*d.*, showing a deficit of 4*s.* 7*d.* Do these figures surprise you. Hardly, perhaps, after the answers you have given?—No, I have not had an opportunity of checking these.

Mr. *Balfour Browne.*] We have not seen these figures.

Chairman.

4179. You need not go into these details?—If these figures are correct, I do not see that it would alter my figures, as I paid them upon the actual trade.

Mr. *Moon.*] I was going to ask the witness a question as to the Newark Navigation, but as he has never been there it would not be any use asking him.

Chairman.] I do not think it would.

Re-examined by Mr. *Balfour Browne.*

4180. When they were before the Board of Trade the Trent Navigation put in a Table of distances and charges?—Yes.

4180*. According to that I find that, "From or between Wilden Ferry on Derwent Mouth, the termination of the Company's hauling-path at Gainsborough, or from or between the commencement of the Company's hauling-path to Gainsborough or Wilden Ferry and Derwent Mouth, 68½ miles." Have you, in all the figures that you have taken, gone upon that as an accurate statement?—Yes.

4181. My learned friend says there are two matters in which you are wrong; first, there are two miles at the Beeston, but which ought to come off; and there are 3½ miles he says at the Newark Navigation; that is in deduction of the total?——

Mr. *Lewis Coward.*] I did not say the Beeston Cut; it is the Nottingham Canal.

Mr. *Balfour Browne.*

4182. Supposing these are both deductions, let us see how it works out upon their own navigation. Upon their own map the total length of the canal is shown as not 68 miles, but 73 miles?—That is so.

4183. That is their own cartoon?—Yes.

4184. Supposing you give them credit for the 3½ miles and two miles which they claim, it leaves the distance 67½ miles, does it not?—Yes.

4185. So that you are not so far wrong, after all?—Not very far wrong, if that is so.

4186. And you are not in the habit of going to Newark, and you do not know where the traffic would go to?—No.

4187. Leaving out altogether the question of the Newark traffic, the traffic going over that canal, does this Table show that in every other instance, where Newark is not in it at all, there is an increase in the actual charging power of the company?—Yes, in every one.

4188. It is that which you complain of?—Yes.

4189. Now, with regard to the 6*d.*; long ago you had a large traffic of from 40,000 to 60,000 tons carried at 6*d.*?—Yes, that is so.

4190. Your allegation was not that it was the maximum power, but you told the Committee that there is that power?—The maximum was 1*s.* 6*d.*

4191. But, with a low toll of 6*d.*, you could do a good trade?—I did it for the last 20 years.

4192. In that circular they show that the maximum power is 1*s.* 6*d.*, and they say not more than half of it will be charged; is the half of 1*s.* 6*d.* 9*d.* or 6*d.*?—It is 9*d.*

4193. Therefore, they did raise the toll from 6*d.* to 9*d.*?—They did do so.

Mr. *Balfour Browne*—continued.

4194. It was the raising it from 6*d.* to 9*d.* that made you sell your broad boat plant?—Yes.

4195. And stop the trade upon the canal?—Yes, and deprived them of 1,000*l.* or 1,500*l.* a year in tolls.

4196. At that time they were doing well?—Yes.

4197. Since that time, as they stopped the trade, they are doing ill?—They are losing some thousands a year.

4198. You have given them a fair chance again; you have put on boats within the last two years?—Two and a-half years now.

4199. At those tolls can you make it pay?—We cannot pay these tolls without leaving us an absolute serious loss.

4200. Under these circumstances will the effect of authorising higher tolls be to shut up the navigation so far as you are concerned?—Yes; if this Board of Trade Schedule is adopted I will undertake to say that our tolls, instead of being 1,700*l.* a-year, will not be anything like half the amount.

Chairman.

4201. What do you mean by their tolls?—Their revenue, the tolls.

Mr. *Balfour Browne.*

4202. Their revenue from tolls is 1,754*l.*; out of that you pay 739*l.* You would at once take off 600*l.* worth of that traffic?—Yes.

4203. And very little would be left to the Trent Navigation?—There would be very little indeed besides what they have got now, and it would increase their loss; the more they carry the more they lose.

Chairman.

4204. You say that the more they carry the more they would lose?—That is their present state; they lose on the carrying trade a very considerable amount.

4205. You say the more they carry the more they would lose; how do you make that out?—Because they lose on every ton they carry; they do not pay the expenses.

Mr. *Balfour Browne.*

4206. It is just as in your own case; upon a certain tonnage in those two years you lost 680*l.*?—£600*l.* odd.

4207. If you had doubled the traffic you would have lost a great deal more?—Yes.

4208. And you say that is the same with reference to the Trent itself?—Yes; we say that we can carry a great deal better than they can. We believe that we conduct our business on lines more favourable to making a profit than they do. We have lost so much money, but they have done a great deal worse with their carrying trade; they have not only paid no tolls at all but we have carried 800*l.* more than they have carried themselves, but they have made a loss of 1,000*l.* in the year.

Sir *William Houldsworth.*

4209. When you say they do not pay tolls, the tolls may be included in the rate?—They do not debit themselves with any tolls.

Sir *William Houldsworth*—continued.

4210. It does not appear in the accounts?—No, they do not pay any tolls; they cannot pay them. We have got to compete with them; they carry against us, we paying them tolls. They get 700*l.* a year and they go toll free, and we lose so much, but they lose more.

Mr. *Balfour Browne.*] My learned friend admits with reference to plaster that, owing to the fact that it has fallen into a class higher than it was originally put, there is a hardship done. I will not take the witness over it. No doubt an amicable adjustment can be got at on plaster; but with reference to other tolls we must fight.

Mr. *Spicer.*

4211. (To the *Witness.*) You say you are a shareholder in this canal company?—Yes.

4212. When did you acquire your shares?—Three or four years ago.

4213. After your differences?—Yes; I wanted to develop a large trade with them. I had no doubt I could pay them a considerable amount of money; and I went to them and represented again, at the end of a twelve month, the result; and at the end of two years; and still they make their maximum toll charge, and we have no better navigation.

Chairman.

4214. When you became a shareholder you thought it was a good concern?—I knew it was not.

4215. As a business man, would you go into a concern now which you knew was a bad one?—No, I should not, as a rule; but I thought I could assist this company and give them advice, and enable them to do better, but they would not have it.

Mr. *Spicer.*

4216. Where did the traffic go to that you gave up? As you sold up your boats, where did that traffic go?—It all went by railway, entirely.

4217. Which railway?—We send by rail ourselves, some of our traffic by the Midland, and by the London and North Western. We send it ourselves; it is in our own hands. If they would give us a low toll now we could send some by water.

[The Witness is directed to withdraw.

Mr. *Balfour Browne.*] That, your Grace, is all the evidence that I have to call.

Sir *William Houldsworth.*] We are really on the amendment of 20 miles being changed into 10 miles.

Mr. *Balfour Browne.*] That is the only amendment that I have moved with regard to the 20 miles and 10 miles. They propose the initial distance of 20 miles, and we propose to make it 10 miles upon page 21.

[The Committee deliberate.]

Chairman.] The Committee have decided to adhere to the proposal made by the Board of Trade that the first line should be 20 and not 10, and leaving plaster to be considered.

Mr. *Balfour Browne.*] I understood that plaster was to be treated in the way we suggested?

Chairman.] No. I said we would consider plaster.

Mr. *Balfour Browne.*] You have decided nothing about plaster?

Chairman.] All we have decided is as to the amendment before us, and that is to substitute 10 for 20, and we say that the 20 must remain.

Mr. *Balfour Browne.*] The next amendment is with reference to Class C We propose, on page 21, in the tolls clause, instead of leaving it 0·50*d.* for the first 20, and 0·15*d.* for the remainder of the distance, that it should be 0·30*d.* for the first 20 miles, adopting the suggestion of the Board of Trade that the 20 should stand, and 0·15*d.* for the remainder of the distance.

Sir *William Houldsworth.*] That applies not only to Class C. but to the other classes?

Mr. *Balfour Browne.*] No. With regard to the other classes we shall leave Classes 1 to 5 as the Board of Trade propose it, 0·50*d.*

Sir *William Houldsworth.*] It does not appear upon your amendment?

Chairman.] Your amendment is to insert in the second column 0·30*d.*, and in the third column 0·15*d.*

Mr. *Balfour Browne.*] It is only line 17.

Mr. *Lewis Coward.*] They are all bracketed.

Mr. *Balfour Browne.*] We sweep away the bracket and leave 1, 2, 3, 4, 5, as they stand in the Schedule, and put in 0·30*d.* and 0·15*d.* I will put evidence before you to show that it is a very important matter; and as you have now made the initial distance 20 miles it will work hardly upon that class of traffic if you leave it as the Board of Trade put it.

Mr. *Pelham.*] What class of traffic?

Mr. *Balfour Browne.*] It is upon Class C. traffic.

Mr. JOSHUA FELLOWES, called again; and Examined.

Mr. *Whitehead.*

4218. THESE articles which you were referring to a moment ago—iron, grain, and timber, are all in Class C.?—Yes.

4219. Some articles of iron are in Class B. and some in Class 1.?—Yes.

4220. Grain and timber are in Class C. and not in any other class?—That is so.

4221. And therefore this amendment of yours if carried would relate to that 40,000 or 60,000 tons of potential traffic which you have already mentioned to the Committee?—That and other kinds of traffic in the same class.

4222. Are you able to carry any large amount of articles in Class C. at the present time?—Very little indeed; practically nothing.

4223. About how much in the year?—None at all as regards through traffic, I do not think I have the figures by me.

4224. Not 80 or 100 tons a year?—Not 100 tons a year of this through traffic on grain, timber, and other articles in that class.

4225. Whereas formerly at the low toll you were able to carry 40,000 to 60,000 tons a year?—Yes. We carried that amount formerly.

4226. You are carriers of traffic in Class B. to a certain extent, but you send it by rail?—All the low-class traffic we send by rail, traffic in A. and B. and a great bulk in C. we have to send by rail at the present time.

Chairman.

4227. From where to where?—From the Birmingham district to Hull.

Mr. *Whitehead.*

4228. Whereas if you had low tolls upon the Trent Navigation a portion of that traffic might come through by water?—We could send some of it that way.

4229. In the case of the Trent Navigation the Board of Trade have dealt with Class C. in a different manner to what they have upon any other canal?—Yes.

Mr. *Whitehead*—continued.

4230. They have grouped it not with Classes A. and B., nor made a separate class of it, but they have grouped it with Classes 1 to 5?—Yes; there is a large amount of traffic in that class, and we say it ought to have been grouped with A. and B., or made a separate class of.

4231. You ask that it should be treated as it has been treated on other canals and made a separate class by itself?—Yes. In the schedules of 26 canals the Board of Trade have bracketed A. and B. together, and then made a separate class for C., and then put together Nos. 1, 2, 3, 4, and 5.

4232. That has been the principle adopted in almost every case?—Universally, except on short canals.

4233. Your figure of ·30*d.* and ·15*d.* would reduce the present powers of the company?—They would.

4234. They would reduce the present charges?—Yes.

4235. That is what you want?—I think it would be reducing it on paper. So far as they are concerned they do not get much traffic, and what we propose in money would be worth to them more than 1*s.* 6*d.* on paper if we give them 1*s.*

4236. If the Committee accept this amendment would you send any traffic in Class C.?—We should send some undoubtedly, more than we do at present.

4237. Though they may have at present a nominal power of 1*s.* 6*d.*, practically no traffic passes, and that power on paper is of little use?—Very little traffic indeed passes. I am sure if they had what we propose it would bring them a larger revenue.

Cross-examined by Mr. *Lewis Coward.*

4238. Let us deal with your first toll in Class C., Wilden Ferry and Gainsborough. In the figure I suggest to you is 17·15*d.* If my figure is correct, your 18·75*d.* would have to be corrected to 17·15*d.* I take Wilden Ferry to Gainsborough as 66 miles?—Yes.

4239. We have the power to charge 1*s.* 6*d.* between Wilden Ferry and Gainsborough, have we not?—Yes.

4240. Plus 1*s.* for the boat?—That is so, and we have reckoned that at ½*d.*

4241. That is to say, present charge 1*s.* 6½*d.*, and the Bill proposes 17·15*d.* Let us go to the next one, Wilden Ferry and Newark, your figure is 13·35*d.*; the right figure is 12·85*d.* for 34¼ miles. At the present moment the authorised charge is 1*s.*?—Of course the same remark applies to that as to the others, they have all been dealt with on the same basis.

4242. It is suggested that it is unfair to link Class C. with Nos. 1, 2, 3, 4, and 5, but has it occurred to you to look at Class B. of this Provisional Order; do you know that with the exception of three or four, or half a dozen items, all the articles that by the Order are now put in Class B. we were enabled to carry as merchandise?—I know that is so.

4243. What do you think of that?—I think it affects the matter to a very slight extent. We have scarcely any traffic at all in Classes A. and B.

4244. Have you any figures to place before the Committee to support that statement of yours?—No, I have not any figures.

Sir *William Houldsworth.*

4245. Do you mean no traffic goes on the Trent Navigation at all in A. and B., or that you personally do not carry any?—We personally do not carry any.

Cross-examined by Mr. *Moon.*

4246. You are carriers both by rail and water?—Yes.

4247. You spoke of getting grain from Hull to Birmingham if you got lower tolls?—Yes.

4248. Do you know that most of the corn used in Birmingham comes from Bristol Channel ports?—It comes from various ports according to circumstances.

4249. Do you know that almost all of it comes from the Bristol Channel ports and from Liverpool?—I know we carry from Bristol ports, from Liverpool, and from London, but we do not carry from Hull.

4250. As regards the Bristol Channel route you have a free navigation right up to Worcester?—No.

4251. Why not?—You forget the Severn.

4252. Is not the Severn a free navigation?—No.

4253. What do you have to pay?—Sixpence per ton between Worcester and Gloucester for everything.

4254. How many miles is that?—Twenty-nine.

4255. And you pay 6*d.*?—Yes.

4256. Then when you get to Worcester how far are you from Birmingham by the Worcester and Birmingham Canal?—That is not free, you have to pay something on that canal.

Mr. *Moon*—continued.

4257. How far are you from Worcester to Birmingham by the Worcester and Birmingham Canal?—Thirty miles.

4258. So there would be 30 miles by the Worcester and Birmingham Canal proper, and 30 miles of river navigation, for which you pay 6*d.*, that is 60 miles?—That does not reach the port.

4259. It reaches Gloucester?—Sometimes corn comes to Sharpness, and then there are 16 miles of the Gloucester and Berkeley Canal.

4260. Corn also goes to Gloucester; does not a lot of corn come to Gloucester in ships?—Yes.

4261. You can get your corn from Gloucester, where it comes to Gloucester by going 30 miles up the Severn and 30 miles up the canal; how far is it by canal from Hull to Birmingham?—I should think about 160 miles.

Re-examined by Mr. *Whitehead.*

4262. I will not go into the Worcester and Birmingham, we do not know the circumstances of that canal, but I will take you back to the Trent Navigation. My learned friend Mr. Coward suggested to you that for that first item from Wilden Ferry to Gainsborough in Class C. the toll authorised by the Board of Trade would be 17·15*d.*?—That is between Wilden Ferry and Gainsborough.

4263. He has not proved that figure, but assuming that is so, would a toll of 17·15*d.* enable you to carry articles in Class C. upon the Trent Navigation?—No. It is such a toll that kills the trade, whereas, if it was a moderate toll we could do a trade.

4264. Would that same remark apply to other tolls fixed by the Board of Trade?—Yes.

4265. That 12·85*d.* which my learned friend says is the figure from Wilden Ferry to Newark?—Yes.

4266. Would you be able to carry that traffic in Class C. with any such toll; if you add 12·85*d.*, which is given by the Board of Trade, imposed upon your Class C. traffic, would that traffic go along the Trent Navigation at all?—No; not except in small quantities; nothing to speak of.

4267. Suppose you got what you are asking for on that distance, 7*d.* instead of 1*s.*, how would that affect the traffic?—It would affect the traffic very materially; it would give us a chance of doing some traffic.

4268. You have stated it before, but would it enable you to send any substantial quantity of traffic in Class C. if you got these lower tolls?—Undoubtedly we should send a considerable quantity.

4269. You were asked about Classes A. and B.?——

Chairman.] We are dealing with Class C.

Mr. *Whitehead.*

4270. Does your traffic in Class C. represent an important proportion of the toll-paying traffic in Class C. upon the navigation?—A very large proportion.

4271. Are there any important bye-traders on this navigation in addition to yourselves?—Yes; there

Mr. *Whitehead*—continued.

there are others that would be affected just the same.

Mr. *Pelham.*] Would the Committee wish to hear the views of the Board of Trade upon this?

Chairman.] Yes.

Mr. *Lewis Coward.*] I should like to say a word upon this. We have heard from the last witness that there are several bye-traders upon this navigation in addition to himself, and I am considerably surprised that we have not seen them, because the only bye-trader put forward is Mr. Fellowes, who says that the extent of his traffic is some 80 or 100 tons. I will not say anything more except this; let me take the fourth column, Wilden Ferry and Nottingham, our powers at present are 6*d.* All that the Board of Trade give us is 5½*d.*

Mr. *Moon.*] One cannot understand why on this navigation ·50*d.* should prevent grain from travelling when a higher figure on all other navigations does not prevent it travelling.

Mr. *Pelham.*] When I heard the evidence on this case, the maximum tolls, as authorised by the Statute, seemed to me, at first, to be too low for the proper maintenance of the navigation, and, therefore, I took the special opinion of the Board of Trade upon the question whether the tolls in any case ought to exceed the present maximum power, and they said, No, that if the company wished to have power to improve the navigation they should apply specially to Parliament for higher tolls. Therefore my endeavour has been to carry out the existing maximum tolls, and I think the Schedule before the Committee does do so, except in the one case of plaster. I think this Paper put in by the traders is not quite correct, because, as pointed out by Mr. Coward, they have put the mileage too high; and, I think, on all articles, except plaster, the Schedule does not authorise anything beyond the actual and the present maximum toll. That would perhaps not apply to some of these articles; you see the tolls for some articles, rather low down with a star against them; those are very low tolls indeed. It is impossible to hit them off exactly, because, though they are limited to 3*d.*, 2*d.*, and so on, at the same time it is 3*d.* and 2*d.* for any less distance than the whole of the particular portion of the navigation. Therefore, unless there was a separate class, and a separate Table for those, it would be impossible to fix a Table of Tolls which would exactly agree with the present maximum power. I wish to point out in conclusion that the traders have very little to complain of generally here, because the toll bears but a very low proportion to the carrying rates. Mr. Waghorn in a previous case said it ought to be 1 to 3; I do not think it has ever got to such a low proportion as that. Here in the case of C. traffic it is 1 to 3, and in the case of A. and B. traffic 1 to 4 or 5.

Chairman.] What suggestion do you make about plaster?

Mr. *Pelham.*] I did not know that that was before the Committee at the present moment. There is an amendment over the page about that. I am inclined to think that plaster ought to be treated as in Class A. and B. Otherwise the Board of Trade think the tolls are very fair.

Chairman.] We reject the amendment; we will now deal with plaster.

Mr. *Whitehead.*] Before you come to plaster, there is an amendment at the bottom of the first page: "In page 21, line 26, omit 2*d.* and insert 1½*d.*" I draw attention to that, but we are leaving that out for the moment.

Chairman.] Perhaps we had better deal with that.

Mr. *Whitehead.*] If your Grace refers to the Order on page 21, you see after Scale 1, Table A., there comes a proviso, "Provided that notwithstanding in the above scale the maximum toll for night-soil, stable, or other unmanufactured manure conveyed for any distance on the said portion of the navigation shall not exceed the sum of twopence per ton." We propose to alter that to 1½*d.* per ton. The facts are these. Under their old powers, given them in the year 1858, the Trent Navigation are bound to allow articles of this kind, night-soil, stable and other unmanufactured manure, to pass at half the toll fixed for other articles in that class. I will just refer your Grace to the words of the Act itself, where it says "For every ton of stable or other manure excepting night-soil which shall be conveyed from Wilden Ferry to Gainsborough or *vice versâ*, 4½*d.*," and so on. Certain tolls are fixed, and after those tolls are fixed there is this proviso. "Provided also that not more than half the rates mentioned shall be demanded or taken for night-soil, stable manure, or other manure not being manufactured manure, nor more than a halfpenny a ton for any such night-soil, stable manure, or other manure not being manufactured manure," and so on. The Board of Trade in fixing their Schedule have given effect to an old proviso in an old Act of Parliament, and inserted the proviso that night-soil, stable or other unmanufactured manure shall not be charged more than twopence in the gross; and I would ask the Committee just to see how it affects the existing powers. As your Grace and the Committee will remember, the tolls upon this canal are settled according to certain zones; traffic passing between certain places, irrespective of distance, is charged a certain gross toll the full distance between Wilden Ferry and Nottingham Trent Bridge under the existing power, whereas for ordinary manure the toll is 2*d.*, for night-soil it is 1*d.* That is the operation of the proviso which I have just read; it is to be exactly half what the ordinary toll upon manure would be. Now, the Board of Trade proposals, of course, go according to the mileage, and they have fixed these articles a farthing per ton per mile, and the consequence is that as soon as you get over a traffic of this character going more than four miles under the Board of Trade proposals you get an increase over the penny which is the existing power upon traffic passing anywhere between these two points, Wilden Ferry and Nottingham; that is 13½ miles. Therefore, upon all traffic of this character which passes between the distance of four miles and 13½ miles, the company will be getting an increased power of charge. In all these cases they will be practically

tically doubling their powers. Their present powers are 1*d.*, and the Board of Trade, having fixed that upon the mileage scale, will be giving them 2*d.* (I am taking it in distances) from Wilden Ferry to Nottingham Trent Bridge; that is 13½ miles. I need not take it according to distances any more. Your Grace and the Committee will see that 2½*d.* is the outside maximum power upon these articles at the present time.

Chairman.] Twopence halfpenny?

Mr. *Whitehead.*] I am quoting from the Board of Trade Returns.

Chairman.] Wilden Ferry to Gainsborough, 2½*d.*

Mr. *Whitehead.*] That 2·50*d.* includes the farthing allowed for the Newark Navigation. I am merely dealing with the tolls under the Trent Navigation Act, which would be 2¼*d.*; then on to that you add the farthing which Mr. Fellowes explained he allowed for the 1*s.* per boat-load on the Newark Navigation, raising it altogether to 2·50*d.* That would be for traffic which passed the whole length of the navigation, and made use of this navigation; but, as a matter of fact, that is not the traffic that you have got to deal with; therefore I ask you to dismiss that figure from your mind altogether. The traffic that you are asked to deal with is traffic passing from four miles up to 12 miles; therefore the figure has nothing to do with the amendment that I put to the Committee. Night-soil cannot go very long distances from the town of Nottingham; it only goes distances varying between four miles to 12 miles; for all this traffic the existing power of the company being 1*d.*, they will be able to get, in some cases, 1½*d.* for six miles, and beyond six miles, and as far as eight miles, 2*d.*; therefore, so far as the Nottingham traffic is concerned, and the night-soil comes from Nottingham alone, in effect the Board of Trade, by their proviso, have added either 50 per cent. or 100 per cent. to the existing powers of the company. That we ask you not to sanction. We ask the Committee to substitute for the 2*d.*, 1½*d.* That is a reasonable compromise, we say. If this traffic had gone the whole distance, it is true in the past they could have charged 2½*d.* or 2¼*d.*; it does not, in fact, go those distances, and therefore, if there is any nominal reduction upon paper it is not a maximum which the Committee need consider, because it affects absolutely no traffic at all. Upon the traffic actually carried what happens is this: if it were to go a less distance than four miles, the Board of Trade Schedule would of course give a certain advantage to the traders or to the Corporation of Nottingham by whom the traffic is sent; that is to say, it would be less than 1*d.*, being at the rate of a farthing per ton per mile. But then in fact this traffic goes as much as four miles and up to 12 and 13 miles, so that what happens is really that upon all that traffic, the traffic which is affected by the Board of Trade proviso, you give them an excess of power. We split the difference between 2*d.* and a penny, and ask the Committee to fix the future gross maximum at 1½*d.*

MR. FRANK BRIDLE HARRIS, is re-called; and further Examined, as follows:

Mr. *Whitehead.*

4272. You are Deputy Town Clerk of Nottingham?—Yes.

4273. At the present time the Corporation of Nottingham send out night-soil and stable manure and other manure not manufactured in barges over the Trent Navigation?—Yes, considerable quantities.

4274. About what distance does that manure traverse?—Varying distances, not exceeding 14 miles; that is as to quantities sent over the Trent.

4275. What is the minimum distance that it goes?—Some two miles; but the greater quantity over six miles.

4276. Therefore there would be upon that, I suppose, an increased power of charge?—Yes, the maximum toll that at present the company charge is 1*d.* up the river and 1½*d.* down the river; they charge up to their maximum.

4277. On some kind of your traffic if it goes over four miles the company would get increased power of charge; that is on traffic going beyond four miles up; if it goes beyond four miles the company would get an increased charge?—Yes.

4278. And if it goes beyond six miles upon that portion of the route they would get increased power?—Yes, upon all quantities carried beyond those distances. I should like to point out one thing. This maximum applies to much longer distances than the distance we traverse. The

Mr. *Whitehead*—continued.

maximum of 1½*d.* covers the distance from Wilden Ferry to Newark, a distance of 40 miles. The distance we actually traverse is in no case more than 14 miles. The maximum proposed by the Board of Trade is 2*d.*; that is an actual increase of 33 per cent. on a distance only about one-third of the total distance, and they have a maximum power of charge.

Mr. *Spicer.*

4279. For manure going the whole distance, or any such section of it, it would have an advantage under the proposed toll of the Board of Trade?—The company gain an advantage after six miles; that is to say, the maximum charge at present existing for 40 miles is 1½*d.*; that would be reached now after a distance of six miles had been traversed; it would be a farthing per ton for each mile.

4280. That is at the present time?—That is at the present time.

4281. Is that what you pay at the present moment?—We pay at present a maximum of 1½*d.*

4282. For any distance?—Yes, for any distance within the zone of 40 miles.

Mr. *Whitehead.*

4283. Up to five miles the Board of Trade proposals would give you an advantage?—Yes.

4284. But when you get six miles and over

Mr. *Whitehead*—continued.

the Board of Trade proposals will work adversely to yourself?—For six miles we shall be as we are now; beyond six miles it would be adverse to us.

4285. The bulk of your traffic goes more six miles, does it not?—Yes; the bulk of the traffic goes beyond six miles.

Chairman.

4286. I thought the manure did not go beyond six miles?—No; it is the contrary.

4287. Does the night soil, stable manure, and other manure, not manufactured, go as a rule beyond six miles from Nottingham?—The larger proportion goes beyond six miles; some is delivered short of it, but the larger proportion beyond that.

4288. The night-soil?—Yes.

4289. Where does it go to?—Different places on the Trent; it is actually delivered on the bank.

4290. Where?—Stoke is one place beyond the six-miles limit; a large quantity is taken there.

Mr. *Whitehead.*

4291. Just point it out upon the cartoon; about how many miles down is it?—About eight miles down the river from Nottingham.

Chairman.

4292. For agricultural purposes?—Entirely for agricultural purposes, delivered to the farms, it is exactly the same character of traffic as that which I gave evidence before the Committee, namely, the traffic upon the Grantham Canal, and it is delivered for the same purposes.

4293. That traffic was much nearer Grantham?—It went the whole way and was delivered across the Trent. The whole of that traffic crosses the Trent. We carry 15,000 or 20,000 tons a year across the Trent to the Grantham Canal in addition to the quantities I mention to-day.

Mr. *Whitehead.*

4294. Your proposal of 1½*d.* covers the existing maximum of the company upon your traffic?—Yes.

Cross-examined by Mr. *Lewis Coward.*

4295. I accept what you say, that when this manure goes over the six miles the company gets the advantage?—Yes.

4296. I understood you to say that a very large proportion of your Nottingham manure goes over the six miles?—Yes.

4297. Upon what did you base that statement?—Upon figures that I have had before me.

4298. Where are they?—I have not them here now.

4299. You are in the Town Clerk's office?—Yes.

4300. Is this matter of manure a matter that is dealt with in the Town Clerk's office?—No; it is reported to me by the manager of the sanitary department.

4301. Where is he?—He is not here.

4302. Then you have not got your figures here?—I have got no figures. I may have a tabulated statement here. I have a table for the last four or five years.

Mr. *Lewis Coward*—continued.

4303. What for?—It is made out by our manager as to boats traversing up and down the Trent during those periods.

4304. A very large number of tons cross from the Nottingham Canal to the Grantham Canal, do they not?—Yes, I distinguished them.

4305. How many tons passed from the Nottingham Canal to the Grantham Canal in those years?—I have not it upon this paper, but upon another paper.

4306. I have taken out the quantities for the last six years, and my figures are these: 69,400 tons; but of that 69,400 tons no less than 61,240 tons pass from the Nottingham Canal to the Grantham Canal?—That is possible.

4307. And on that present I get a halfpenny?—Yes. I admit that, but I separated a few minutes ago the traffic going down the Trent and delivered on the Trent, and the traffic simply crossing the Trent and going up the Grantham Canal. The quantity going up the Grantham Canal varies considerably from year to year from 800 and 900 tons, to 15,000 tons; that is a distinct charge, and the maximum there is different to the one I am addressing myself to, the maximum there is a halfpenny.

4308. Do I not on 61,000 tons out of 69,000 tons at present get a halfpenny a ton?—Yes.

4309. It is proposed I shall only have a shilling upon that instead of a halfpenny a ton?—Yes.

4310. Would it mean a loss upon that alone of 35 per cent?—Yes; that is not our proposal at all.

4311. That is the proposal of the Board of Trade?—It may be so.

Chairman.] It is not a question of your proposal. You must confine yourself to answering the questions.

Mr. *Lewis Coward.*] This is what the Provisional Order suggests: That "where merchandise is conveyed by a bye-trader in a boat which passes from or to the Nottingham Canal, to or from the Grantham Canal, the company may charge a minimum toll of 1*s.*" So that, as I say, for 61,000 tons out of 69,000 tons, I should be entitled to charge at the present moment a ½*d.*, whereas the Board of Trade cut me down to 1*s.*, which is a loss of 35 per cent. upon that traffic.

Mr. *Pelham.*] That is not so. The minimum toll is 1*s.*, and, therefore, if the tonnage comes above 1*s.* you will get it; it gives you the minimum toll.

Mr. *Lewis Coward.*] I shall prove that it never does.

Mr. *Pelham.*] Then it does not cut you down. The minimum toll never cuts anybody down; it is a bonus.

Mr. *Lewis Coward.*

4312. (To the *Witness.*) I understand you to tell the Committee that the larger proportion of your 69,000 tons goes beyond the six miles?—No.

4313. You say the larger proportion of your traffic?—I said the larger proportion of the traffic delivered on the Trent.

4314. I quite agree as to that which passes up the

Mr. *Lewis Coward*—continued.

the Beeston Cut to the River Trent; it goes up to a place called Sawley, that goes, of course, over the six miles?—Yes.

4315. And there, of course, that would go at an increased cost to the corporation?—Yes.

4316. I put it that, with the exception of that traffic, the other traffic would not pass, and we should get no benefit?—I can answer that by giving you a list of the places to which we deliver on the River Trent irrespective of the traffic which crosses the Trent for 200 yards and goes into the Grantham Canal. Take Barton, boats were sent to Barton in 1889, 1890 and 1892, that is seven miles; boats were sent to Barton Joyce in 1889, 1890; 1891 and 1892, to East Bridgford, ten miles; boats were sent again in all those years; to Gunthorpe, ten miles, boats were sent in 1889 and 1899; Hazleford 14 miles, Overingham 12 miles, Lockington 12 miles, Redhill ten miles, Sawley 12 miles, Shelford nine miles, Stoke seven miles, and Thrumpton nine miles.

Mr. *Lewis Coward*—continued.

4317. In addition to the manure there is a large traffic also on our canal in gravel, pitch, and sulphate of ammonia?—Not sulphate of ammonia; occasionally pitch and gravel, certainly.

4318. I will hand in this Table; it is a statement showing the amount of the Nottingham Corporation traffic which passed over the Trent Navigation during six years ending December 31st 1893, and the tolls, taking manure, 69,400 tons. I suggest that under our existing tolls the amount is 168*l.* 15*s.* 3*d.*, and the tolls proposed under the Provisional Order 133*l.* 12*s.* 8*d.*, showing a decrease of 35*l.* 2*s.* 7*d.*; that would be a total decrease of 20·8 per cent.?—

(*The statement is handed in and is as follows:*—)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

TRENT NAVIGATION COMPANY.

STATEMENT showing amount of Nottingham Corporation Traffic which passed over the Trent Navigation during the Six Years ending 31st December 1893; the Tolls paid on the same, or which would have been paid had all the Traffic been carried by Bye-Traders; and the Tolls which would be payable on the like amount of Traffic under the Provisional Order.

Description of Traffic.	Tons.	Existing Tolls.	Tolls proposed under Provisional Order.	Increase.	Decrease.	Percentage.	
						Increase.	Decrease.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.		
Manure - - - -	69,400	168 15 3	133 12 8	—	35 2 7	—	20·8
Gravel - - - -	40,007	250 4 9	41 14 1	—	208 10 8	—	83·3
Pitch - - - -	9,377	468 17 -	306 14 1	—	162 2 11	—	34·6
Sulphate of Ammonia	1,495	74 15 -	93 2 6	18 7 6	—	24·5	—
	120,279	962 12 -	575 3 4	18 7 6	405 16 2	—	40·2

	£. s. d.
Total Tolls as at present charged - - - - - -	962 12 -
Tolls which would be charged under the Provisional Order	575 3 4
Saving to Nottingham Corporation -	£387 8 8, equivalent to 40·2 per cent.

Mr. *Lewis Coward*—continued.

It would vary very much from year to year; it depends upon the quantities going across or down the Trent.

4319. You do not complain of an average of six years?—No.

4320. These are our dealings with you from our books (that is, the Nottingham Corporation), these are the total tolls from you in those six years, amounting to 962*l.*, and the tolls to be charged under the Provisional Order are 575*l.*, so that you have a saving of 387*l.* 8*s.* 8*d.*?—That cannot apply to these years in which we did not carry in boats. It is carried entirely by the company, and the company charge a carrying rate for it, in which tolls are not charged.

4321. The Note says, "or if carried by a bye-trader"?—The bye-trader being yourself, and no toll being chargeable, it is unfair to put that down.

4322. Is there any other figure to which you wish to draw the attention of the Committee?—Again I refer to the manure. I will take one particular year, 1892; there were some thousands of tons taken across the Trent in that year through the dry season which we could not get away which would not have been sent across the river that short distance if it had not been the case.

Chairman.

4323. The main point is whether you dispute the fact, or what is said to be the fact, set out in this Table; you say one year is different; but do you deny that during the six years ending the December 31st, 1893, the figures below are correctly entered?—As to particular items?

4324. Manure?—As to manure, I have no doubt they are correct.

4325. And gravel?—Gravel it is quite likely, for gravel we do not always pay toll on; in many cases we simply pay the gravel merchants so much a ton for gravel delivered, the toll being paid by the man selling the gravel.

4326. Sulphate of ammonia?—Sulphate of ammonia is carried down to Hull, not by us.

Mr. *Lewis Coward.*

4327. That is where the increase is?—As regards their gas residuals, they include pitch, and sulphate of ammonia, and coke; they are invariably carried by the company, and no tolls are payable by us, and they do not charge themselves toll; therefore that return is fictitious as regards any profit to us upon that.

4328. We show that we do get a benefit upon sulphate of ammonia?—It is not anything to us, because we do not pay tolls.

Cross-examined by Mr. *Moon.*

4329. You are Deputy Town Clerk of Nottingham?—Yes.

4330. Is Nottingham interested in keeping up the river waterway efficiently?—Yes.

Mr. *Whitehead.*] I do not know what my learned friend, Mr. Moon, has to do with this matter. The witness stated that none of this traffic goes on to the Newark Navigation. My learned friend represents the Newark Navigation; but this traffic does not affect it; he has no right, therefore, to cross-examine.

Mr. *Moon.*] I am interested in two ways; first, that this company shall have enough funds to keep open the route to the coast from the Newark Navigation, and the Newark Navigation is no good to me unless the navigation is efficiently maintained.

Chairman.] You may go on with the cross-examination.

Mr. *Moon.*

4331. (To the *Witness.*) Is it not very much to the interest of the town of Nottingham to efficiently maintain the waterway?—Yes.

4332. Is not the interest of the town of Nottingham in maintaining the waterway far greater than getting night-soil carried at a ridiculously low toll?—I do not think the toll ridiculously low; it is fixed by Parliament.

4333. What do you pay now on the Grantham Canal?—It varies according to fixed distances.

4334. It is a great deal more than 2*d.* in many instances?—I have not the Schedule of tolls here. My recollection is that it will be 10*s.* 3*d.* a boatload for the first 10 miles; for 20 miles the charge is only 13*s.* 3*d.*; and for the next ten miles only 16*s.* 3*d.*; so that, therefore, it is far less than the other.

4335. You do pay more than 2*d.* upon the night-soil?—According to distance. It may be for a short distance; if you work it out on the navigation, it is not.

4336. The longer distance you send it the more you pay?—No; the charges are much less according to the distance you go. The first ten miles is 10*s.* 3*d.*, and the second ten miles only 3*s.*

4337. In addition to the 10*s.* 3*d.*?—Yes.

4338. It increases it all the time; the further you go the more you pay?—Yes.

4339. If you could afford to send this upon the Nottingham Canal at that price, why should not you do it on the Trent Navigation? You propose to maintain exemptions against the Trent Navigation which you proposed to obtain against the Grantham Canal and the Nottingham Canal; and your contention was rejected, and the exemptions were abolished?——

Chairman.] We need not deal with that.

Mr. *Moon.*] That is precisely the same question that your Grace and the Committee had before you in the Trent and Nottingham Canal, and you abolished the exemption altogether.

Witness.] That I may say was an absolute exemption to everybody.

Re-examined by Mr. *Whitehead.*

4340. Upon the Grantham Canal at the present time for 10 miles you pay 10*s.* 3*d.* a boatload?—Yes.

4341. That is 1*s.* for a boat for 10 miles?—Yes.

4342. How many tons in a boat?—Forty tons.

4343. That comes to a farthing a ton?—Threepence a ton.

4344. It has been put to you that altogether 69,000 tons passes over the Trent Navigation?—Yes.

4345. And

Mr. *Whitehead*—continued.

4345. And the bulk of it goes over to the Grantham Canal?—Yes.

4346. Up to the present time you have been favourably treated as regards manure upon the Grantham Canal?—We pay lower tolls than the maximum.

4347. If I understand you rightly, the exemptions which exist on the Grantham Canal has been abolished by the Committee?—Yes.

4348. Therefore, upon the Grantham Canal you now become liable to higher charges?—Yes, as we shall on the Trent beyond a certain distance.

4349. If that is so, may not it happen that some of the traffic going upon the Grantham Canal would not be available for that canal, and would come upon the Trent?—It is probable, because the toll would be so high that we could not carry it.

4350. Therefore the 8,000 or 9,000 tons that you have carried in the past six years might be increased in the future?—Instead of crossing to the Grantham Canal it would go down the Trent.

4351. And become subject to this higher toll, higher than the existing maximum?—Yes, and the increase of which would be reached at a much shorter distance than the increase on the Grantham Canal.

4352. Six miles in the one case, and four miles in the other?—Yes.

4353. You say that to Sawley and Barton, and 12 or 13 different places, your traffic now passes over distances of six miles?—Yes, there is only one place under six miles to which we delivered in the five years.

4354. Out of what number?—Out of 15.

4355. That bears out your statement that the bulk of your traffic does go for distances over six miles?—Practically all.

4356. With regard to this Table that has been put in, did I understand you to say that it confuses two things: it confuses the tolls actually paid, and gives an estimate of the tolls which the company has chosen to put down where they themselves are the carriers?—It confuses three things: first, it puts down the tolls which we actually pay; secondly, the tolls paid by the traders in gravel, from whom we purchase it; and, thirdly, the tolls on manure are actually paid by the Corporation direct to the company.

Chairman.

4357. On this paper?—All manure tolls are paid direct to the Corporation.

4358. On this paper?—Any manure rate.

4359. Are you quoting from the paper?—I am dissecting this paper, showing that it is mixed up with three different items.

Sir *William Houldsworth.*

4360. You pay tolls direct in the manure case, and that is a fair statement to put in?—Yes.

4361. In the case of gravel you do not carry it, and you do not pay tolls, but you buy from merchants bringing it; you buy the whole thing together?—Yes.

4362. Therefore it does not represent the toll that you pay?—No. The two last items there is no toll paid upon to anyone. The company

Sir *William Houldsworth*—continued.

carry these articles for us, and they charge us the carrying rate; therefore it is not fair to put down tolls as either saved or lost which we do not pay and which are paid to no one at all.

Mr. *Whitehead.*] We can dismiss the saving of 40 per cent.

Chairman.

4363. Is there a demand for more manure than you have now?—I do not know; it depends upon the question of the season, and as to whether they are able to get the manure away.

4364. You said if you could not carry it upon one side of the town you would carry it upon the other?—If the rates ran up, as they may do, for long distances, we should prefer to send it down the Trent if we could deliver it without loss rather than send it down the Grantham Canal.

4365. Would there be a greater demand for it than there is now?—I cannot say; the orders vary from year to year; sometimes we send twice as much in one direction one year as another year.

Mr. *Spicer.*

4366. Have you any difficulty in getting rid of all you produce?—Yes, it is difficult. In one year we stacked 8,000 or 9,000 tons along the wharves upon the Grantham Canal, which accounted for the large amount of traffic in that particular year. It had to be carted away again and sent in different directions.

Sir *William Houldsworth.*

4367. You admit a saving to the Nottingham Corporation, upon the manure, of 20 per cent.?—Yes, I admit it may be correct for this particular year.

4368. We may take that on the statement for the six years?—I do not dispute it, because I have no figures to do so with.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] I have no more witnesses to call.

Mr. *Lewis Coward.*] There are the figures, and the gentleman did not deny them.

Mr. *Pelham.*] The Board of Trade have nothing to say upon this, except that they do not think that exemptions in favour of manure should be kept up in any case except in favour of the landowners along the canal. I believe that was the reason why the exemptions were imposed in the first instance; but the Board of Trade in this case have put a limit which carries out, as near as possible, the general purpose of the Act, a limit of 2*d.*, and, as it appears, the Nottingham Corporation will not lose on the arrangement.

[The Committee deliberate.]

Chairman.] We reject the amendment.

Mr. *Whitehead.*] Then we come to plaster.

Chairman.] Cannot you come to terms upon the plaster?

Mr. *Lewis Coward.*] We have been hit so hard in other cases on all the articles in Class B. which we should be entitled to charge as merchandise, with the exception of the four articles mentioned; we have been cut down enormously. No doubt there is some slight injustice to plaster, but I shall prove that the actual amount of tolls works out in this way: taking the trading for the month of March there is a balance against us of 4*s.* 6*d.*, even taking the Provisional Order tolls.

Chairman.] Then we must discuss it.

Mr. *Whitehead.*] I will ask the Committee to refer to the printed Table put in before the Committee this morning. I do not intend to go into any question of detail of mileage. It may be—I do not know whether it is so or not, but my learned friend has not proved it—that there are some slight inaccuracies; we may have taken 68 miles instead of 66 miles in that Table. That is a distance of two miles, and the charge is 0·20*d.*, that would make a difference on the figures as regards plaster of 0·40*d.*; that is the whole variation there would be in consequence of any possible errors which have crept into the Table owing to the manner in which it has been calculated. If the Committee look at plaster they will see in the first distance according to the Order, and according to what my learned friend Mr. Coward has put before the Committee, that there would be a charge of 17·15*d.*, whereas according to their Act of 1858 there would be a charge of 9¼*d.*, it may be that is rather too much or not quite enough; it may be 9*d.* or 10*d.*, but it is somewhere about that figure; so that upon that article you have an increase of 9*d.* or 10*d.* up to 1*s.* 5*d.*; and if the Committee follow down the column they will see the same thing happens on the shorter distance. Wilden Ferry and Newark—there the difference is about 100 per cent., making all allowances for errors; and on the next distance, the Nottingham and Gainsborough, the increase is something over 100 per cent. One further word I should give of explanation. The Committee will see in that column in each group, of line 3, referring to the proposals of the Mansion House Association; on the first distance it is rectified—it is 8·25*d.*; now that figure was the total result of all the proposals of the Mansion House Association, that proposal with regard to altering the distances, and so on. As a matter of fact, I think I must put it in this way: that the proposal of the Mansion House Association would make the figure instead of 8·25*d.*, 9·75*d.* That proposal about covers their existing power under the Act of 1858. Under the Act of 1858 they get 9·25*d.*; it may be a little more—I should say it may be 9·65*d.*, owing to the difference of a few miles. What we propose to give them is 9·75*d.*, so that even on our amendment their existing powers under the Act of 1858 will be covered.

Chairman.] What are we now discussing?

Mr. *Whitehead.*] The amendment with regard to plaster.

Chairman.] No amendment is here.

Mr. *Whitehead.*] Our amendment is on the top of page 2 of the amendments. We propose to add a further proviso to the proviso I have read upon page 21: "Provided also that the toll for plaster shall not exceed the toll applicable to the toll for merchandise in Classes A. and B." At the present time, your Grace, plaster has been associated with coal and lime and articles in Classes A. and B., and we propose to preserve the existing classification to that extent so far as it relates to plaster.

Chairman.] The Board of Trade have taken plaster out of A. and B., and put it into Class C

Mr. *Whitehead.*] Plaster was put into Class C. Upon this particular canal there were special circumstances under their Act of 1858; and, looking at the existing traffic which has grown up under that Act, it entitles us to ask it to be grouped with coal and lime and the articles with which it was grouped when this special Act was before Parliament in 1858.

MR. REDMOND PARKER CAFFERATA, is called in; and, having been Sworn, is Examined as follows:—

Mr. *Whitehead.*

4369. YOU are a plaster manufacturer at Newark?—Yes.

4370. I believe you are not the only plaster manufacturer upon the navigation who has considered this question?—There are about 13 manufacturers of plaster upon the Trent.

4371. Can you tell the Committee about what value of traffic in plaster passes down the Trent in the course of the year?—About 20,000 tons.

4372. How much goes from Newark, your own place?—About 9,000 tons goes from Newark, and 11,000 tons from Thrumpton, the mouth of the Soar.

4373. Is it used by Newark?—Yes, and round about.

4374. About Nottingham?—Yes.

Mr. *Whitehead*—continued.

4375. What is your existing toll upon the 9,000 tons of traffic?—Our existing toll at Newark is 4½*d.* per ton.

4376. You say the existing toll on the 9,000 tons of traffic is 5*d.* a ton?—Four pence halfpenny per ton, consisting of 3*d.* per ton on the coal, and 1½*d.* for toll upon the Newark Navigation; it works out at 168*l.* 15*s.*

4377. You said there were about 11,000 tons coming from the higher reaches of the river above Nottingham?—Eleven thousand tons from the district above Nottingham at 8½*d.* per ton works out at 389*l.* 11*s.* 8*d.*

4378. It works out altogether to 550*l.* a year?—Yes.

4379. But speaking generally, what is the effect

Mr. *Whitehead*—continued.

effect of the proposals of the Board of Trade?—The proposal of the Board of Trade would more than double this amount.

4380. Will you just explain to the Committee what are the general circumstances with regard to the plaster trade at this moment, making that possible increase a matter of serious consequence to the trade?—The plaster trade at the present moment is subject to very considerable opposition from foreign plaster coming into the main ports. Last year a quantity of 14,000 tons came into the Thames alone, and the competition is hitting us all round the coast.

4381. We may take it that if the tolls were doubled it would place your traders at Newark and the traders above Nottingham in a serious position?—If the tolls are doubled the whole of the plaster trade will disappear from the Trent.

4382. Where will it go to?—It will disappear altogether; we could not send it by water.

4383. Could you send it by railway?—We could send it by railway because the railway companies have reduced their rates considerably to meet the foreign competition.

4384. The railway companies have themselves been obliged to meet this fact by reducing their rates?—The railway companies have reduced their rates in the case of London, in order to meet the competition, by over 10 per cent. to the terminal stations, and 30 per cent. to the docks and outlying stations. In the case of Bristol they reduced the rates 38 per cent., and in the case of Liverpool they reduced the rates 20 per cent.

4385. Have the Trent Navigation reduced their tolls?—No.

Cross-examined by Mr. *Lewis Coward.*

4386. Of course, if the rates are doubled and the whole of the plaster trade would disappear, it would be to our interest not to charge the rate; you say the traffic will not bear it?—No.

4387. Perhaps the traffic might bear something a little beyond what it is now charged?—I do not think the traffic would bear 1*d.* of increase.

4388. I do not expect the trade to say otherwise?—At the present time, owing to the action of the railway companies, we are now, for the first time, able to send plaster into London cheaper by railway than by water; and as a consequence of that, I have sent this year over 1,000 tons by rail that used to go by water.

4389. And you do send, as a fact, a great deal by the Trent Navigation?—I send by the Trent Navigation 5,800 tons.

4390. You would like to see the navigation improved as far as possible?—I should like to see the navigation strengthened in every possible way.

Mr. *Lewis Coward*—continued.

4391. The figure proposed by the Board of Trade is a ½*d.* for the first 20 miles, and 0·20*d.* for the remainder of the distance. Now I will make an offer to you: What do you say for plaster, 0·30*d.* for the first 20 miles, and 0·15*d.* for the rest?—What would the figure work out at?

4392. It does not ruin us, and would not ruin you?—We cannot afford to pay anything over the existing tolls.

4393. It squeezes you a little; it is the difference between 3*d.* and 5*d.*?—If it squeezes us it will squeeze you in the long run.

4394. Then we should not charge it if we are hit rather hard in other things, you know that?—So you say; I do not know it personally.

4395. You have heard us say so in the room?—Yes.

4396. You have no reason to doubt it, have you?——

Chairman.] He will not go as far as that.

Re-examined by Mr. *Whitehead.*

4397. How far does your traffic go, from Newark to Gainsborough?—On to Hull.

4398. Upon this navigation it goes as far as Gainsborough?—Yes.

4399. How many miles is it?—Sixty-eight and a-half miles from Thrumpton at the mouth of the Soar, and 35 miles from Newark.

4400. From Newark 38 miles?—Yes.

4401. Part of that is the Newark Navigation?—A mile and three-quarters.

4402. And 34 miles is Trent Navigation?—Yes.

4403. They propose 0·30*d.* for 20 miles, that would be 6*d.*?—Yes.

4404. Then 14 miles more at what?—0·15*d.*

Mr. *Pe ham.*] You are counting the tidal part.

Mr. *Whitehead.*

4405. Sixpence; we will not take the last 14 miles at all. Treat them as if they were not there, as if they had no power to charge. We only get ¾*d.* under the Schedule. We ask for 6*d.*, whereas at the present time you pay 4½*d.*?—Yes.

4406. That is what they offer you?—Yes; they offer us 6*d.* against 4½*d.*

4407. They offer to increase your charge by 33 per cent.?—Yes.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] That is all the evidence I have to call upon this point.

MR. FRANK RAYNER, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Lewis Coward.*

4408. You are Assistant Engineer of the Trent Navigation Company, are you not?—I am resident engineer of the company.

Mr. *Lewis Coward*—continued.

4409. With regard to this question of plaster, there is no doubt the tolls are raised on plaster?—They are.

Mr. *Lewis Coward*—continued.

4410. Have you taken out a statement based upon the traffic for the month of March 1893, showing the difference between the existing tolls and those now proposed?—Yes.

(*The following Statement is handed in:*)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL.

TRENT NAVIGATION COMPANY.

STATEMENT based on Traffic for March 1893, showing difference between existing Tolls and those now proposed.

—	—	Existing Tolls.	Tolls proposed in Provisional Order.			Tolls proposed in Mansion House Amendments.	
	Tonnage.	£. s. d.	£. s. d.	Increase per cent.	Decrease per cent.	£. s. d.	Decrease per cent.
Up Traffic - -	13,194	186 – 2	195 13 10	5·2	—	116 – 6½	37·6
Down Traffic - -	13,450	153 10 9	143 12 6	—	6·4	95 3 4	38·0
Total - -	26,644	339 10 11	339 6 4	—	0·06	211 3 10½	37·8

Mr. *Lewis Coward*—continued.

4411. Mr. Fellowes took out a statement for March 1894. You have taken out the traffic for March 1893?—Yes.

4412. Does that statement show the amount of up-traffic to be 13,194 tons?—Yes.

4413. Producing at the existing tolls, 186*l.*?—Yes.

4414. And the tolls proposed in the Provisional Order 195*l.* 13*s.* 10*d.*?—Yes.

4415. Showing an increase of 5·2 per cent. upon the up-traffic?—Yes.

4416. Upon the down-traffic the tonnage is 13,450; existing tolls, 153*l.* 10*s.* 9*d.*, and the tolls proposed by the Provisional Order 143*l.* 12*s.* 6*d.*, leaving a decrease of 6·4 per cent.?—That is so.

4417. Therefore it would be a loss to the company on that point of the Provisional Order of 4*s.* 7*d.*?—Yes.

4418. So that the tolls nearly balance each other?—Yes.

4419. With regard to the last two items in the columns, "Tolls proposed in the Mansion House Amendments"——

Mr. *Spicer.*] Are not the whole of the tolls that we are discussing with regard to plaster?

Mr. *Lewis Coward.*] If you diminish the tolls to a greater extent on plaster you leave us with a serious loss if Mr. Cafferata's evidence is true. It is a very serious one for a navigation who are in the hands of a receiver.

Sir *William Houldsworth.*] This is on all classes?

Mr. *Lewis Coward.*

4420. Yes; and as the Board of Trade issued the Order it just balances. (To the *Witness.*) I suggest to the Committee that the fair way would be to make plaster instead of a ½*d.* for the first 20 miles and 0·20*d.* for the remainder of the distance, that the Committee should fix 0·30*d.* for the first 20 miles, against 0·15*d.* and 0·15*d.* for the remainder of the distance. Now, taking out those figures for Newark and Gainsborough, how do they compare with the tolls proposed by the Provisional Order and the proposal of 0·30*d.* and 0·15*d.*?—The existing toll upon plaster from Newark to Gainsborough is 3*d.* upon the Trent Navigation and 1½*d.* upon any other Navigation, making a toll altogether of 4½*d.*, and the toll on the proposed figure you have just mentioned would give 6*d.* and a small decimal.

4421. Is that a fair way way of meeting it?—I think it a liberal concession on the part of the Trent Company.

4422. If there is any reduction it may be very disastrous to the company?—Yes.

4423. These figures show it?—Yes.

Lord *Herries.*

4424. Suppose you lose your plaster altogether?—I think the company will not do that.

4425. I think

Cross-examined by Mr. *Whitehead.*

4425. I think you admit there will be an increase if the Board of Trade proposals are accepted on the plaster?—Yes.

4426. You take an illustration of an increase of 40 per cent., but in some instances there will be increases amounting to 100 per cent.?—You mean under the Provisional Order?

4427. Yes, under the Provisional Order. Let me put the actual figures of traffic. The present charge is 17*l.* 0*s.* 2½*d.*?——

Mr. *Lewis Coward.*] What places?

Mr. *Whitehead.*

4427*. Are these figures likely to be correct? The present charge upon plaster of one trader for whom I am interested for the moment is 17*l.* 0*s.* 2½*d.*, and under the Board of Trade, 32*l.* 13*s.* 5*d.*; is that the proportion?—Without knowing where from and where to I am unable to say.

4428. I will not go into details. You say, as I understand it, if instead of 4½*d.*, your existing charge, you are empowered by the Committee to charge between 6*d.* and 7*d.*, that is a concession to the traders. Did I understand you to use those words, "concession to the trader"?—A concession as compared with the Provisional Order.

4429. What you mentioned to the Committee were not the figures under the Board of Trade Schedule, but the result of your offer to the traders a month ago?—The 6*d.* a ton is the result of the offer Mr. Coward made to you.

4430. What you are now offering is an increased power of about 40 per cent. I take the figures you gave of 3*d.* and 1½*d.* between Newark and Gainsborough, making 4½*d.* at the present time. You say you will charge between 6*d.* and 7*d.*?—I said 6*d.*

4431. And a fraction?—You may call it 6*d.*

4432. Do not you, at the present time, carry the plaster yourself?—Yes, I believe so.

4433. If the toll on plaster were increased to the plaster manufacturers or the bye-traders, might it not happen that the company themselves would become the carriers of plaster?—They might or might not.

Re-examined by Mr. *Lewis Coward.*

4434. Take the toll on plaster; Wilden Ferry to Newark, according to their column our rate is 0·85*d.*?—Under the Provisional Order.

4435. Then the rate for plaster at present is 8*d.*?—Yes.

4436. There is 2*d.* to go on to the 6*d.*?—Yes.

4437. That is calculated upon the Provisional Order at 0·50*d.* for the first 20 miles, and 0·20*d.* for the remainder of the distance, but if you take my offer of 0·30*d.* and 0·15*d.*, would there be any increase for the distance?—I have not been able to work it out.

Mr. *Spicer.*

4438. You heard the evidence with regard to the foreign competition?—Yes.

4439. And also with regard to the railway rates for these special goods?—Yes.

Mr. *Spicer*—continued.

4440. Do you think if the proposals you have made that 0·30*d.* and 0·15*d.* should be allowed instead of 0·50*d.* and 0·20*d.* that you will be able to keep that trade?—So far as I have been able to look into the figures it would interfere very slightly with the trade.

4441. Would it mean that the present men would not have it, but you would get it in another form?—I doubt whether the increase would be so much as to throw the traffic off the canal.

4442. You heard the evidence with regard to the foreign competition and the railway?—Yes.

4443. You would rather lose the traffic, if it meant loss, than willingly accept it at the figure proposed?—Yes; if the figures proposed by Mr. Coward are accepted and it was found in the course of time that it would be too high a toll and the traffic was diminishing, the company would meet the bye-traders.

Mr. *Whitehead.*

4444. You are the engineer, and not the traffic manager?—I am the resident manager.

[The Witness is directed to withdraw.

Mr. *Pelham.*] We, the Board of Trade, are of opinion that the classification which puts plaster in Class C. in this particular case is too high a toll; but I am bound to say that I do not feel quite sure if it were put in A. and B. at 0·25*d.* that it would quite cover the existing low toll. I do not think this Table is to be entirely depended upon, though the mileage is calculated correctly, and no allowance has been made for the toll on the Newark Cut; but I think the offer of the company of 0·30*d.* for plaster for above 20 miles, and 0·15*d.* afterwards, seems to be a very fair one.

The Committee deliberate.

Chairman.] Plaster will be in a separate class, 0·30*d.* for the first 20 miles, and 0·15*d.* for the remainder of the distance.

Mr. *Whitehead.*] There are only two amendments left. My learned friend agrees to one of them; so that it leaves only one to be discussed before the Committee. One amendment relates to the passage of tugs upon the canal, and I understand that my learned friend, or his clients at all events, have arranged with my clients to accept what we ask.

Mr. *Lewis Coward.*] No, that is not so.

Chairman.] What is the next amendment to be dealt with?

Mr. *Whitehead.*] At page 21, at the foot of Scale 2, we propose to insert an amendment, a further proviso: "Provided that notwithstanding anything in the above scale, the maximum toll for merchandise passing down the navigation from Durham Shoal to Gainsborough, or any portion of such distance shall not exceed the sum of one shilling per boat-load." That is our proposal.

Chairman.] Is it agreed to.

Mr. *Whitehead.*] I referred to the last one. There are still two amendments before the Committee.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 3) BILL.

(ABERDARE, &c., CANALS.)

The following Orders under this Bill being unopposed are declared by the Committee to be passed:—

Aberdare Canal Navigation.
Birmingham and Warwick Junction Canal.
Bradford Canal.
Coventry Canal Navigation.
Gloucester and Berkeley Canal.
Godalming Navigation.
Grand Union Canal.
Leicester Navigation.
Leicestershire and Northamptonshire Union Canal.
Loughborough Navigation.
Louth Navigation Canal.
Neath Canal Navigation.
Nutbrook Canal.
Oxford Canal.
Somersetshire Coal Canal Navigation.
River Stort Navigation.
River Stour Navigation.
Warwick and Napton Canal.
River Wey Navigation.
Wilts and Berks Canal.
Worcester and Birmingham Canal (including the Droitwich Canal and the Droitwich Junction Canal).

Ordered, That this Committee be adjourned to To-morrow at Half-past Eleven o'clock.

Die Mercurii, 4° *Julii*, 1894.

PRESENT:

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Joseph Richardson.
Lord Herries.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 4) BILL.

(Birmingham Canal.)

The following Petitions against the Bill are read:

The Petition of the Proprietors of the Warwick and Birmingham Canal Navigation: Counsel reserved.

Messrs. *Taylor*, *Hoare*, and *Pilcher* appear as Agents in support of the Petition.

The Petition of the Corporation of Birmingham:

Mr. *Cripps*, Q.C., and Mr. *Blennerhassett* appear as Counsel in support of the Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the Lancashire and Cheshire Conference of Municipal Corporations and Local and other Authorities and Bodies.

Counsel reserved.

Messrs. *Sharpe and Company* appear as Agents in support of the Petition.

The Petition of the Birmingham Canal Company:

Mr. *Bidder*, Q.C., Mr. *Moon*, and Mr. *W. E. Evans* appear as Counsel in support of the Petition.

Messrs. *Martin* and *Leslie* appear as Agents.

The Petition of the Electric Construction Company:

Counsel reserved.

Messrs. *Smiles, Ollard, Yates* and *Ollard* appear as Agents in support of the Petition.

The Petition of the Midland Canal Freighters' Association:

Mr. *Balfour Browne*, Q.C., and Mr. *W. E. Shakespeare* appear as Counsel in support of the Petition.

Messrs. *R. W. Cooper and Sons* appear as Agents.

The

4 *July* 1894.

The Petition of the ASSOCIATIONS OF TRADERS AND FREIGHTERS AND MUNICIPAL CORPORATIONS representing the South Staffordshire District:

Counsel reserved.

Sir *Alfred Hickman* appears as Agent in support of the Petition.

The Petition of the MINING ASSOCIATION OF GREAT BRITAIN:

Mr. *Balfour Browne*, Q.C., appears as Counsel in support of the Petition.

Messrs. *Sharpe and Company* appear as Agents.

The Petition of the LONDON AND NORTH WESTERN RAILWAY COMPANY:

Mr. *Pope*, Q.C., Mr. *Littler*, Q.C., and Mr. *Bolton* appear as Counsel in support of the Petition.

Mr. *C. H. Mason* appears as Agent.

Adjourned.

Die Jovis, 5° Julii, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.
Earl of LAUDERDALE.
Lord CLIFFORD OF CHUDLEIGH.
Lord HERRIES.
Lord HAWKESBURY.
Sir WILLIAM HOULDSWORTH.
Sir RICHARD PAGRT.
Mr. SPICER.
Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(CANALS OF THE GREAT NORTHERN AND CERTAIN OTHER RAILWAY COMPANIES.)

CANALS OF THE GREAT NORTHERN COMPANY.

Mr. *Whitehead.*] WHEN the Committee were dealing with the Grantham Canal this question of the Beeston Cut was mentioned but was held over, because though the Great Northern Company, who are in possession of the Nottingham Canal, were willing to agree to what the traders wished, yet they said they could not do it till the Trent Navigation representatives were here, because all three parties were interested. The circumstances are these: originally traffic down the River Trent used to follow the course of the river; it came down from the upper reaches up by Wilden Ferry to a point on the map marked Beeston Weir; it followed the course of the river tinted in light blue, and it then went down the Trent to the rest of the navigation. That was the original state of affairs. Whilst that state of affairs existed, the Nottingham Canal Company came before Parliament and obtained powers to make that cut or canal coming down from Nottingham into the Trent at Trent Bridge Lock. When they obtained that power the Commissioners of the River Trent opposed the Bill, and they got inserted in the Bill of the Nottingham Canal Company a clause under which, if at any time a cut were made from the River Trent into the proposed Nottingham Canal, that all traffic coming along that route to the Trent and entering the Nottingham Canal and then going into the Trent once more at Trent Bridge Lock, should be charged a certain toll of 1*s.* a boat. The clause was Clause 120 of the Nottingham Canal Act. I will just read it shortly so that you may fully understand the effect of the provision, "Provided always that in case it should be found necessary or expedient to make any side or collateral cut for the improvement of the navigation of the River Trent or the communications affected thereby in or near the course of the said intended canal" (that is the Nottingham Canal), "then nothing in this Act contained shall hinder or prevent the undertakers of the Trent Navigation connecting the same with the canal authorised by this Act to be made at any place" between two points, "or to hinder or prevent any person or persons using boats and so on," "on the said River Trent from passing through the said part of the said canal between Lenton and the River Trent at Snainton Meadow aforesaid." Lenton Junction is shown just where the Beeston Cut joins the Nottingham Canal. The Nottingham Canal is shown in red and blue. The Beeston Cut is shown by a thin blue line. Snainton is down here at the other end of the Nottingham Canal. So the proviso in the old Act says there shall be nothing to hinder persons who come upon this Beeston Cut belonging to the Trent Commissioners from entering the Nottingham Canal at Lenton Junction and passing along to the Trent, the payment being at the rate of 1*s.* for every boat not loading or unloading any goods on the intended canal. That is to say, this proviso relates to through traffic which would under the old circumstances have passed naturally along the course of the Trent, but which, owing to the privilege which the Trent Commissioners obtained of making the Beeston Cut, now follows the short route and goes up the Beeston Cut and into the Nottingham Canal. Upon that through traffic under this old Act, the Nottingham Canal merely have power to charge 1*s.* a boatload. And the reason, your Grace, is fairly clear. If your Grace looks at the lower part of the cartoon there is a certain difference in the level between the different portions of the waterway.

The River Trent at Beeston Lock is higher than the Beeston Cut, but when the Beeston Cut joins the Nottingham Canal at the junction there is a smooth waterway; therefore when any traffic comes from the upper reaches of the Trent and enters the Beeston Cut it brings with it a certain quantity of water; that water enters the Nottingham Canal, and practically that water, though I admit the difference in level is not precisely the same at the different locks, but practically in substance that water which the boatload brings with it from the River Trent carries it down again into the River Trent at Trent Bridge; there is a slight difference.

Mr. *Balfour Browne.*] One is 6 feet 11 inches and the other is 2 feet 1 inch.

Mr. *Whitehead.*] If your Grace will carry your mind back to the evidence given when we were dealing with this particular reach of the Nottingham Canal, you will remember there was a large supply of water coming into the lowest reach from the River Leen. The engineer for the Nottingham Canal Company, or for the Great Northern Railway Company, told the Committeee that there was a very large quantity, and I challenged him to say how much; but it is a river discharging into these lower reaches a considerable quantity of water upon which the company themselves have not a penny to pay for the use of it, so that on that lower reach they have free water from the River Leen, and they have a certain quantity of free water from the River Trent. Now, looking to these two facts, we say it is reasonable that this old toll of the 1*s.* a boatload should be preserved So far as water is concerned, having those two sources of natural water supply, practically the Great Northern Railway Company incur no expense with regard to this traffic. I think it was before the Committee when we were dealing with the Nottingham Canal that there is a constant drainage of water from the River Trent into the Beeston Cut, owing to the fact that the lock gates at that point are rather defective; and even if no traffic passes at all, yet the Nottingham Canal is constantly getting water in through the Beeston Cut into the lowest reach of their canal and river to augment the quantity of water necessary for their traffic there. Therefore, getting their water for almost nothing, we submit that the 1*s.* a boatload, the old maximum fixed in the original Act of Parliament, is amply sufficient. That is the whole case.

Chairman.] Have you put in any amendment?

Mr. *Whitehead.*] Yes; the amendment of the first Bill when dealing with the Nottingham Canal, but it was held over until you came to the second Bill, in order that the Trent Commissioners might be here.

Sir *William Houldsworth.*] It is an amendment to the Bill we passed?

Mr. *Whitehead.*] Yes.

Mr. *Balfour Browne.*] Though you passed the rest of the Bill, this was reserved, because you thought it right that the whole of the three parties should be before you.

Sir *Bichard Paget.*] How does the amendment fit into the rest of the Bill? It is an additional section proposed upon the Nottingham Canal portion of the Bill.

Sir *William Houldsworth.*] A proviso.

Mr. *Whitehead.*] These are the words; I will read them to the Committee; page 8 in the first Bill after line 11 and page 4, of the amendments. After line 11, add this Clause, "Nothing in this Schedule shall alter, vary, or affect the provisions contained in Section 120 of the Act of 32nd George III., chapter 100." It would come in after the fourth special section dealing with Great Northern canals. It is confined, therefore, to Great Northern Canals, and does not affect the rest of the Bill at all.

Mr. *Lewis Coward.*] Your Grace, I appear for the Trent Commissioners, and the amendment stands first in the name of the Mansion House Association, and then also in my name, but I did not appear on the Great Northern Bill when this was under discussion. I hold in my hand a copy of the Minutes of Evidence as to what took place when the postponement was made, and this is what I see was said. Mr. Whitehead at page 53 said, "The next amendment would have fallen to my lot. I have been talking to Mr. Pelham about it, and he thinks it better to postpone it on to a later Schedule; as there is a possibility of an arrangement being come to between the parties, it will be better to postpone it, as it may avoid a long discussion." And Mr. Pelham said, "It is a question that was not brought before me when I settled the Order; it is saving a certain charge through the Beeston Cut. I understand the company are willing to concede that." Apparently they are not willing to concede it, but I do not know whether the Great Northern Company seek to put any terms upon the Trent Company. With regard to the concession, at the present moment I should be beating the air if I took up the time of the Committee. I simply support my learned friend, Mr. Whitehead's amendment; but if my learned friend, Mr. Balfour Browne, could at all shadow forth what the case is that the Trent Company may have to meet, I would call any evidence or put any witness into the box that he thinks necessary; otherwise I had better reserve what I have to say.

Mr. *Balfour Browne.*] I think my learned friend is not so ignorant as he seems. Our engineer has been in communication with the very experienced engineer of the Trent Navigation, and I think they fully understand what we want. Now, apparently the River Trent below the Beeston Cut and between Beeston Cut and where the words "Trent Bridge Lock" is, had shoaled up, and this cut was made called the Beeston Cut, communicating with our canal of the Great Northern, shown in red and blue, from Lenton Junction to the River Trent; and apparently they have been able by this exemption in the old Act, which exempted all boats from any payment except 1*s.* a boat, to avoid all payment except that to the Nottingham Canal. As this Section distinctly laid down, "Which shall not load or unload goods in the said intended canal." We thought, as our canal went through Nottingham, a great portion of the goods would be unloaded in the canal for Nottingham, and if that had

had been the case, of course the 1*s.* a boat would not be exactable, but the high tolls of the Nottingham Canal. Unfortunately, however, they had made a wharf lower down on the River Trent; they pass from Lenton Junction over our canal, and load and unload all the goods for Nottingham off our canal, and so get the benefit of the 1*s.* toll. Now, first of all, we think we have been rather jockeyed, but we cannot say that the traders have not some rights in the matter. It is a right that they have had for a long time, and the traders have enjoyed a certain traffic as compensation though not a large amount, at 1*s.* a boat; but we think, under the circumstances, there ought to be a certain amount of give and take between the two canal companies; and what we propose is this: The water which comes down the River Trent to the Beeston Lock from there downwards till you get to the Trent again, through our canal, is no use to the Trent Navigation. No boats are carried by that means, but the water would be of very considerable use to us. Now, I will put in a little plan which shows how they could so regulate the water as to keep it up in the fullest level down to Castle Lock. If they would do that, the water being of no use to them, because it is all returned to them after passing our canal, we would come under an obligation only to charge that 1*s.* a boat; we would continue the exemption to traders if the Trent Company would give us the water with which to carry it out, but at the present time we get practically little or no water from the Beeston Cut, except when a boat passes through; but my learned friend says we get the River Leen. The River Leen is exceedingly dirty, and purification must take place, and we may lose it. In our Schedule we distinctly ask for power for pumping water, and ultimately we shall do it, because of the great difficulty of supplying water to this Nottingham Canal for the purpose of the traders. We have reduced our tolls; you have swept away all the exemptions upon the Nottingham and Grantham canals, and the only exemption remaining is this: We might have asked fairly and reasonably that this exemption should be done away with too, but what we thought was, it being the interest of the Trent Company to get the traffic passed at a low rate, because the lower the rate we charge the higher rate of toll they can get, and it being part of their navigation they ought to supply the water. I will put in a witness who will put in a plan showing that this can be done without detriment to the Trent Navigation; it would mean the introduction of certain sluices. If that is so, if it does them no harm, why should not they agree to put in a clause in this Schedule, which Parliament has full power to do? I do not know whether Mr. Pelham would have had power to do it, but Parliament has full power to do it, saying that they shall regulate the sluices in such a way as to keep up the level. In that case we will agree to the exemption, and give the trade the benefit of the 1*s.* toll. If not, we must ask this Committee to do exactly as they have done in the case of other exemptions, sweep them away. Then between our own lock at Lenton and the River Trent we could charge the toll you fixed. Those would be over 1*s.* a ton, and would injure the traffic and injure the traders too.

What I propose is to make a general arrangement by which they will part with the water at Beeston that they do not want; they want it when the boat gets down to the Trent again below Nottingham, where it would be returned. They would part with the water there for the purposes of their traffic, and we should get the water and continue the 1*s.* toll.

Sir *William Houldsworth.*] You admit that you get the water when the boat passes through the Beeston Lock?

Mr. *Lewis Coward.*] But you want the additional water by an arrangement not depending upon a boat's passage.

Mr. *Balfour Browne.*] Yes, we want a little extra water. I will tell you why. You will find that owing to the fall at the end being much greater, we have to part with a great deal more water than we get with the boat; it is on that ground that we say there might be something reasonable in this, if they said: "Oh, but the water you get with the boat is sufficient for the boat till it leaves your navigation," that might be reasonable. They say it brings its own water with it, therefore it should have no more; but owing to the difference of these falls, it is not so, and we lose water in consequence of that boat coming in. Under these circumstances we say they ought to make up the deficit which is for their traffic.

Chairman.] Cannot you come to some agreement?

Mr. *Lewis Coward.*] No, I am sorry to say we cannot; we would sooner part with the 1*s.* toll than come under the obligation to give more water; we want all the water we have got.

Mr. *Balfour Browne.*] Mr. Pelham has kindly reminded me of one thing which I will mention as a matter of law. The Beeston Cut down to Lenton Lock belongs to the Trent Navigation. It is only from Lenton Lock down to the Trent again that belongs to us. Upon the Beeston Cut they have full power to charge their tolls, the very tolls you have given them. It is only upon our piece between Lenton and the Trent that we are limited to the 1*s.*

Lord *Herries.*] How many miles is it?

Mr. *Balfour Browne.*] About two and a-half miles.

Mr. ARTHUR GRINLING, is re-called; and further Examined as follows:—

Mr. *Balfour Browne.*

4445. You are an *employé* upon the Great Northern Railway and you have charge of their canals?—I have.

Mr. *Balfour Browne*—continued.

4446. You know the Beeston Cut?—Yes.

4447. First of all the Beeston Cut opens from the river Trent?—Yes.

4448. You

Mr. *Balfour Browne*—continued.

4448. You have a little plan there which shows how a boat would get into the Beeston Cut from the River Trent?—Yes, by the upper lock above th weir.

4449. There is a weir across the River Trent which keeps up the level of the water to a certain height?—Yes.

Chairman.] Where is that?

Mr. *Balfour Browne.*

4450. At Beeston Cut. This sketch (*producing a sketch*) shows Beeston Cut where it is in communication with the River Trent?—Yes.

4451. There is also a certain set of locks leading down from the Beeston Cut into the River Trent on the south side of the weir?—Yes, on the lower level.

4452. First take the northernmost of these locks a boat coming from the River Trent into the Beeston Cut would it bring some water with it?—It entirely depends upon the state of the river whether it did or not.

4453. In certain conditions of the river it would bring no water at all?—Practically none.

4454. What condition of the river is that?—When the water is only just flowing over the weir.

4455. When the water is only just flowing over the weir the boat brings no water at all?—No.

4456. With regard to those other gates which are shown further to the south; are those gates intended to hold up the water of the Beeston Cut?—I believe they existed for two reasons, partly for that and partly to allow traffic to come from the Beeston Cut into the lower parts of the Trent. There was originally a good deal of traffic to a colliery going down that way.

4457. As a fact, do those gates effect their object and keep up the water?—No, they are far more leaky at the weir that Mr. Whitehead spoke about.

4458. Mr. Whitehead took credit for the lock gates letting in water by reason of the fact that they leak?—Yes, he rather made a boast of their being leaky.

4459. Then those gates let out, by their leakage, more than the other gates let in?—Quite as much when they are out of order.

4460. What is it you desire with reference to the water of the Trent?—We desire that the Board should so regulate the sluices in the upper lock that the water in the Beeston Cut should be kept on the level of our overflow at the Castle Weir, which is just by the Castle Lock, by the letter C. on the word canal. There is an overflow weir. The weir over the Trent was constructed, in the terms of the Act, to hold water up to this level, so that the Trent outside the gates is, at the present time, kept up to this overflow weir. We say that the water in the Beeston Cut itself should be kept up to that level.

4461. All you want to do is to have the level at the Castle Lock kept up to the level of the Trent outside?—Yes.

4462. How much does that alter the existing level?—Not alter it at all. I must explain that diagram. This is prepared by the Trent Company. You see upon the diagram, "mean water level." Of course, that means that it is sometimes below that level and sometimes it is above. For instance, for the last three or four months it has been considerably below that level, whereas the level at the Trent Lock is considerably more than that shown upon this diagram, so that we are always losing the difference between the two locks. We are, practically, losing at the present time a depth of 7 feet 6 inches, a lock of water which is a very large lock. We seek to have it recouped by the inside of the Beeston Cut being kept level with the Trent outside. The water would be passed down our part of the canal and come out again into the Trent; the Trent would get every drop of the water by that means.

4463. As a fact, does any substantial traffic pass down the River Trent itself?—Not at present; it is too much shoaled up.

4464. Where the words "River Trent" are shown upon that cartoon that is where the Trent is shoaled up and traffic does not go?—Yes.

4465. So that, practically, no traffic goes that way; it all has to come by means of the Beeston Cut and your canal?—Yes.

4466. You lose water, I understand, with the traffic that comes to you from the Beeston Cut?—We must lose a certain quantity of water, because when the Beeston Cut is full, suppose there was a big flood on the Trent, we can only get about 7 feet of water where there is now 2 feet 1 inch shown upon the cartoon; but when we get this great head of water is when we have plenty of water in the canal everywhere else; it is only in dry times that we want it. The water coming there is really a nuisance to us, because our canal is full of water and we have to deal with it. We have at present to keep men at Castle Lock doing nothing else than regulating the water. At the present time there is a foot of water coming in and 8 feet 7 inches going out. At a time like this we want the water; not in flood time.

4467. In flood times you get a large amount of water through the cut which hampers you?—Yes.

4468. At this particular time, if a boat comes through, you are getting a foot while you lose 7 feet?—Yes.

4469. Do you want to put in this section which you have had made showing the fall?—These are levels taken on Saturday.

4470. Does it materially alter what you said?—It does not.

4471. As a fact, do the Trent Navigation have a right to charge tolls upon their Beeston Cut?—I believe so.

4472. And the whole of the difficulty and obligation falls for their benefit upon the Great Northern Canal?—Yes.

4473. Do you think that fair?—I think it very unfair, especially when they get a similar charge for crossing 250 yards of the river.

4474. In the year 1858 did the Trent Company themselves come to Parliament and sweep away all their exemptions?—I believe so.

4475. For crossing the River Trent, which is about 250 yards, how much do they get?—One shilling.

4476. That

Mr. *Balfour Browne*—continued.

4476. That is the minimum?—Yes.

4477. They may get more; they cannot get less than 1*s.* for going 250 yards?—No, for which they do nothing. It is simply crossing the natural river.

4478. As I understand, you are perfectly willing to go without the water; but if you go without the water, you say you ought to be able to charge from the junction down to the Trent your ordinary toll?—Yes; I say since the original Act was passed the circumstances of the case have entirely altered. When the Act was passed Nottingham was a very small place; both of these canals were in the country. Beeston Cut is practically in the country now, whilst our two and a-half miles is through the heart of Nottingham, and one of the most expensive parts of our canal to maintain; and we have to maintain it entirely for this traffic at this minimum charge.

4479. And they get the benefit of the most expensive part of the canal for practically nothing?—Yes.

4480. And it is not really so much for the traders' benefit as for the benefit of the Trent Navigation?—No.

4481. Because it enables them to charge the trader a higher toll?—I presume so.

Lord *Hawkesbury.*

4482. Why are the lock gates of the southern entrance to Beeston Cut pointing a different way?—That is in order, in times of very big floods, to regulate the water both going out of Beeston Cut and into Beeston Cut; there is a double gate there.

Cross-examined by Mr. *Lewis Coward.*

4483. It is true we have power to charge toll on the Beeston Cut?—I believe so.

4484. And we equally have power to charge toll also on the navigation when opened up?—Yes.

4485. Does it occur to you that it is rather important for us to have all the water we possibly can?—Where?

4486. When that navigation, the alternative route as I may call it, is opened up?—If you open it up no doubt you would.

Mr. *Balfour Browne.*] Will you give me a minute to consult my learned friend, no doubt we may be able to settle the matter?

Chairman.] Yes.

Mr. *Lewis Coward* and Mr. *Balfour Browne* consult.

Mr. *Balfour Browne.*] There has been a suggestion which I understand will meet the views of the Trent Navigation, but it is fair that the traders should have an opportunity of seeing it. I will tell your Grace what has been suggested by Mr. Pelham.

Chairman.] Has it been agreed to?

Mr. *Balfour Browne.*] It has not been agreed to. We still desire, if we can have it, to have the water under the circumstances I have told you of. Mr. Pelham has suggested that with regard to the question of evasion which I mentioned to your Lordships, if the traffic were carried down and unloaded upon the Nottingham length of the canal to avoid payment, he suggests that it might be proper to exclude the goods landed or unlanded in the Borough of Nottingham, that then they should pay the full toll if landed from the Trent. On the whole I would rather that the Trent Navigation should give me the water in connection with the boat; but if they will not do that it does go to meet one of my objections, which was that by means of this exemption they evade the payment of tolls and land the goods in the Borough of Nottingham to evade payment.

Mr. *Lewis Coward.*] I have gone as far as I can. I will agree to that.

Mr. *Whitehead.*] I should like to understand this. As I understand at the present time, if traffic comes up the Beeston Cut, and is unloaded in the Borough of Nottingham, it pays the ordinary tolls, if it is within the Borough of Nottingham on the River Trent.

Mr. *Balfour Browne.*] As I understand, the Act of Parliament says nothing of the sort, it says, "shall not load or unload goods on the said intended canal." You get off the canal on to the River Trent and unload there.

Mr. *Whitehead.*] The traffic in which I am interested is mainly through traffic. If I understand my learned friend aright, on that through traffic which is not unloaded in Nottingham at all, he proposes to preserve the shilling minimum boat-load toll. With that I am content.

Chairman.] Then you are all content?

Mr. *Whitehead.*] If that is made clear in a clause.

Mr. *Pelham.*] May I make it clear? When goods come on to the Beeston Lock, if they go right through, having begun on the Trent, and go down the Trent to the lock, they get the benefit of the shilling exemption; but, at the present moment, if they are landed at any place on the Nottingham Canal they have to pay the full Nottingham mileage toll; it is said that there is a *quasi* through traffic, but it is not *bonâ fide* through traffic, and it goes down the Nottingham Canal and is loaded within the Borough of Nottingham just outside. These people say, we at present enjoy the benefit of that shilling low toll. I propose that that traffic, in the future, should not have it, but should pay the full mileage toll on the Nottingham traffic. Through traffic which goes right away beyond Nottingham will still have the benefit of the shilling.

Mr. *Balfour Browne.*] We are all agreed. The words must be brought up, and we will make it clear that it is to apply to all traffic landed in Nottingham or unlanded.

Chairman.] That finishes it.

Mr. *Balfour Browne.*] Yes, that finishes the Great Northern Canals.

Adjourned.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 3) (ABERDARE, &c., CANALS).

(Staffordshire and Worcestershire Canal.)

Mr. *Lewis Coward.*] Would your Grace permit me to relieve you of one of the canals, the Staffordshire and Worcestershire? The amendments proposed with regard to it have been withdrawn, and if you pass it now I am happy to say it will save you some considerable inquiry.

Chairman.] Very well.

(Stourbridge Navigation.)

Mr. *Lewis Coward* appears as Counsel in support of the Petition of the Company of Proprietors of the Stourbridge Navigation.

Messrs. *Grahams and Company* appear as Agents.

Mr. *Lewis Coward.*] Your Grace, may I bring the case of the Stourbridge Navigation before you, so as to relieve the parties? It is on page 41 of the Bill. I have to bring up four amendments which have been agreed; and with your Grace's permission I will read them. Page 41, after line 1 insert new clause, "Minimum toll per boat and toll for empty boat. After the words special section, applicable only to the Stourbridge Navigation." "Where merchandise is conveyed in a boat which passes through one or more locks on a canal, the company may charge a minimum toll of 3*s.*," strike out "5*s.*" The next one will also read 3*s.* where the 5*s.* stands. Then strike out those of the Mining Association and those of the Stourbridge Navigation Company. This should be the first amendment; I will read it. Page 41, line 33, after "the canal," insert "for consumption, use, or manufacture at works on the canal or disposal as spoil on the canal."

Chairman.] Is that agreed to?

Mr. *Lewis Coward.*] Yes. The next is page 42, line 3, the same thing again. That is all.

Chairman.] Then we pass that Order.

(Beverley Beck.)

The following Petitions against the Order are read.

The Petition of the Corporation of Beverley.

Mr. *Scott-Fox* appears as Counsel in support of the Petition.

Messrs. *Durnford and Company* appear as Agents.

The Petition of the Mansion House Association on Railway and Canal Traffic for the United Kingdom (Incorporated).

Mr. *Whitehead* appears as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

Mr. *Scott-Fox.*] Your Grace, I appear on behalf of the Corporation of Beverley in favour of the Schedule settled by the Board of Trade. It will be convenient if I tell your Grace the circumstances of this tiny beck, so that you may understand the nature of this particular canal.

Chairman.] Had we not better hear the opposition first? We want to hear what objections there are. If necessary, we will hear what you have to say; but now we had better hear the opposition.

Mr. *Whitehead.*] I appear for the Mansion House Association. Upon the quantum of toll, there is nothing between us except in Class 1. Your Grace, this Schedule raises for the first time before this Committee an important question of principle, which has a practical application: therefore I want to direct the attention of the Committee to the form in which the Board of Trade have drawn up their Order. If the Committee will turn to page 9 of the Order they will see, first of all, there are "Special Sections applicable only to the Beverley Beck: (i.) Nothing in this Schedule contained shall authorise the Corporation to charge any tolls in respect of any merchandise conveyed on the canal except such merchandise as is laden within the Borough of

of Beverley. (ii.) In this Schedule, unless the context otherwise requires, the term 'the company' or 'the Corporation' means the mayor, aldermen, and burgesses of the Borough of Beverley acting by the council of the said borough; the term 'the canal' means the Beverley Beck, including that part of the River Hull which is within or which adjoins the Borough of Beverley." Then, if you will turn over the page, you will see Table A., Scale 1. Those tolls in Scale 1 are applicable to merchandise laden or unladen on the Beverley Beck. Then there is Scale 2, applicable to merchandise laden or unladen on the River Hull within the Borough of Beverley. If your Grace and the Committee will turn to these small maps upon the wall you will see a thin blue line running down from the top of the map to the bottom. You see the River Hull running down from north to south; that is a natural waterway. Then there is a short canal, about three-quarters of a mile long, running from the River Hull down to the town of Beverley, Beverley being away to the left of the map at the end of the word "Leeds." The system of charge adopted by the Board of Trade is this: they have distinguished between traffic which is unloaded upon the River Hull and traffic which is unloaded upon the Beck. In each case they fix the gross toll which includes not only the toll for the use of the waterway, but also the wharfage charges. Your Grace will see that in that respect this schedule differs from every other schedule. It has been up to the present time, both in the railway legislation and in the canal legislation, an accepted principle amongst the traders and amongst the companies that you should distinguish the various items of charge, so that the trader who only makes use of one part of the total accommodation provided by the company shall be charged merely for what he does use and shall not be subjected to a charge for what he does not use. When Parliament was dealing with the railways they distinguished between the conveyance rate, the station terminal, and the service terminal. When they came to deal with canals, in the conveyance rates they distinguished between conveyance rates and station terminals, loading and unloading, covering and uncovering; in dealing with tolls they distinguished between tolls for the use of the waterway and the wharfage charge for the use of the terminal station. That has been the principle throughout this legislation; and it is a principle for which the traders have fought for many years, a principle which we submit is a sound one, that no trader ought to be charged for accommodation that he does not use.

Now, your Grace, the issuing of this Schedule by the Board of Trade has come upon the traders as a great surprise; and I will tell the Committee why. When the matter was being discussed before Mr. Pelham, the Corporation of Beverley, who are the owners of this canal, submitted for his approval certain gross tolls somewhat similar in principle, I believe, to the gross tolls inserted here. That was their original suggestion.

Sir *William Houldsworth.*] You mean the gross tolls in the amendment?

Mr. *Whitehead.*] No, the gross toll, including the toll and the wharfage as suggested by the Board of Trade. I do not say that the quantum was the same, but originally the company themselves accepted the principle of uniting the two items of charge and giving merely one single charge, whether they used all the accommodation provided by the company or not.

Chairman.] Do I understand that in the first instance the company agreed to the principle involved in Scale I., the maximum tolls, including wharfage charges?

Mr. *Whitehead.*] Originally, I think, the Corporation desired that form of Schedule; then the matter came before Mr. Pelham. Meanwhile they had put in another amendment, so that the actual Schedule which came up before Mr. Pelham for discussion involved the acceptance by the Corporation of the principle of distinguishable charges which I now ask the Committee to revert to. So that when they came before Mr. Pelham they only asked for this distinguishment of toll from wharfage charge, and complied with the principle of legislation which has always been accepted by the Board of Trade and by Parliament up to the present time; and Mr. Pelham said to the representative of the Corporation, "My answer has always been that you may make as much objection as you like to the quantum, but that it is the principle of the legislation that the wharfage charge shall be taken out of the gross toll which is at present charged, in order that the trader who has no wharf may have some advantage over a person who lands at the wharf of the canal company." That was before he heard any evidence at all upon the subject; before he heard what were the circumstances of this particular navigation. But after he had heard the evidence of the Corporation my clients were leading evidence on behalf of a gentleman named Barker, whom I will call before the Committee presently; and he was going to discuss this question of distinguishing the items of charge, when Mr. Pelham said to him, "I think you need not go into that question; we shall put in the ordinary wharfage;" and, of course, we called no further evidence upon that. Therefore, as I said, it came upon us with some sort of surprise that the Board of Trade at this time in the history of this legislation should be over-riding and reversing every principle that has been accepted by both sides from the beginning to the end. It is an extraordinary thing. So much for the general principle. We say that it is reasonable that a man should be only charged for what he uses, and that you should not impose upon him a charge for what he does not use.

If your Grace refers to the amendment which I put before the Committee, you will see that that involves the acceptance of a new form of scale. We propose to distinguish it, and taking Classes A. and B., and for the maximum toll, including wharfage charges, which the Board of Trade have fixed at 3*d.*, we propose to insert the ordinary wharfage charge which the Board of Trade said they were going to insert of 1·05*d.*, and allocate the balance of 1½*d.* to the toll. So that upon those two classes the quantum allowed by the Board of Trade remains exactly where it

was. If the trader makes use of all the accommodation, both wharfage and waterway, then under our proposal on Classes A. and B. he will be charged exactly the same sum as the Board of Trade have fixed. So that it is only this question of distinguishing. If, on the other hand, the trader does not make use of the wharfage, then, of course, under our amendments, he will not become subject to the charge.

Then in Class C., again we divide the 4·50*d.* into 3*d.*, which is the ordinary wharfage charge upon all canals, and 1½*d.*, which is the balance which the Board of Trade have fixed, making altogether 4½*d.* The same system applies on Classes 2, 3, 4, and 5; but in Class 1, and to this I will direct the attention of the Committee when we come to the evidence, we make a difference in the quantum of total charge. The Board of Trade have fixed it at 6*d.* and they have grouped it with the other Classes 2, 3, 4 and 5. We insert in respect of Class 1 the ordinary wharfage charge of 3*d.*, but we fix for the toll 2*d.*, which is exactly the same figure as is fixed for the toll under our dividing up of the tolls in respect of the other Classes 2, 3, 4 and 5. So that under our amendment for Class 1 we ask the Committee to sanction 2*d.* toll and 3*d.* wharfage; and for Classes 2, 3, 4 and 5, 2*d.* toll toll and 4*d.* wharfage.

Now your Grace as regards the principle I think the principle has been clearly before this Committee, and certainly has been accepted by them several times; and I think all that remains for me to do is to show the Committee that that toll which we fix for use of the waterway is just and reasonable. As regards the charge for the wharfage that of course has been fixed over and over again in the case of other canals, and no question as to the quantum of wharfage can arise upon this canal. If dividing up the total charge is the proper principle, then there is no doubt at all that 1½*d.*, 3*d.*, and 4*d.* is the proper wharfage charge; therefore I dismiss that altogether. The only thing I shall now direct the attention of the Committee to is this: are the figures of 1½*d.* and 2*d.* which we ask them to authorise for the toll over this waterway reasonable, or are they not?

Chairman.] Before you go to that, do I understond you to say that lumping the two together is an exceptional case?

Mr. *Whitehead.*] There may be some other case unopposed; but in every case that has come before the Committee for discussion there has been no such principle accepted. It may be that upon some small waterway, where there was very little traffic concerned, and nobody thought it worth while to come, that principle may have passed the Committee without discussion and without consideration. I am not aware if it is so, but it may be so. I am not aware one way or the other; but this is the first case where it has come up formally before the Committee to be discussed. This is a reversal of the principle which has been accepted by Parliament Session after Session, ever since the year 1890.

Now, if your Grace will turn to the tolls before I direct your attention to the quantum of tolls, I must just explain this map. The Corporation of Beverley have the power to charge not merely on the Beck itself, three-quarters of a mile in length, but they have the power to charge from some point down to the south. Roughly speaking, from the town of Beverley, along the Beck, and down to this point, where their jurisdiction begins, is about two miles. For those two miles our amendment leaves the total quantum the same as the Board of Trade; our amendment, 1·50*d.* for toll works out for the two miles at ·75.

Mr. *Pelham.*] Your amendment does not apply to the River Hull?

Mr. *Whitehead.*] No. These tolls, under the Schedule I read to the Committee at the beginning, are payable according to the point at which the goods are landed; if they are landed in the borough of Beverley, on the River Hull, the charge is 2*d.*; if they are landed in the borough of Beverley, along the Beck, the charge is 3*d.* That is the principle; there is no charge *eo nomine* for passing along the River Hull. Upon all traffic which passes along the River Hull and is not laden or unloaded within the borough of Beverley, there is absolutely no charge. So the only traffic with which the Committee is concerned is traffic loaded or unloaded within the borough of Beverley. If it is loaded or unloaded on the outside of Beverley, on the River Hull, the charge is 2*d.*, and if nearer to the centre of the town, along the Beck, the charge is 3*d.* Let us consider those figures: The difference between 2*d.* and 3*d.* being 1*d.*, that is what the Board of Trade think a reasonable charge for going over three-quarters of a mile of the canal, that works out about 1½*d.* a mile. That is an extreme case. Traffic going the short distance, if there was any such, would be chargeable at that rate even under our own proposals, which we have merely translated from the Board of Trade Schedule. On the other hand, if traffic comes a longer distance, and nominally the Corporation have power of charging for the transit over the River Hull, then the rate per ton per mile on these classes we are asking the Committee to sanction is ·75. The Committee have in their minds the old figure of ·50, which is the normal figure for a canal which has been constructed upon the ordinary principle, and in respect of which the existing company has incurred some financial obligations. Where a company comes before you and informs you that they have themselves spent 100,000*l.* or 300,000*l.*, or whatever it may be, upon this canal, in these cases you say to the existing shareholders, dealing with the case as a typical case, we will fix ·50. What are the circumstances here? This is not a canal which has been constructed by any shareholders at all; this is an old waterway dating from the 12th century; it was made in the 12th century by the guild of merchants in the town of Beverley for the benefit of whom, the Corporation of Beverley? No, but of the traders (I will not go into the history); at all events, in the course of time it has come into the hands of the Corporation, but the use that the Corporation are making of the canal is this: they are getting a revenue out of the traders, and using that revenue for the purposes of their general administration. They use this revenue which the traders upon the Beck have

to

to pay in order to relieve the general rates of the town, that revenue going towards the payment for the management of roads and things of that kind. That is an entirely different case from the typical canal to which you have awarded ·50. And what we say is this, that if ·50 is a reasonable toll in itself for a canal company which consists of shareholders who have advanced their money for the purpose of making the waterway, ·75 is not an unfair or unreasonable toll to propose for a waterway in the hands of a public body, and which ought to be administered as a public trust for the benefit of the traders of the district One word more and I have done. Let us go back to this question of principle. You will see there are two possible cases, there is the case of the trader who makes use not only of the waterway, but also of the terminal station, and under our proposals he will be charged exactly the same amount as the Board of Trade have fixed. Then there is the trader, he may be here now or there may be such a trader coming into existence in future, and the Committee will remember that they are legislating for a long course of time, perhaps for ever, there may be more traders coming into existence in the future who will not use the accommodation which the Corporation provide at their terminal station, why should those people be charged for something that they do not use, in particular why should that money be taken out of their pockets to the prejudice of their trade, handicapping them in competing with other traders in the same class of articles at some other poin, in order that other persons in the same town may be relieved of a certain amount of rates. Can any reason be alleged why the traders along the Beck should be called on without any consideration whatever to pay indirectly a larger amount towards the rates of the town than any other inhabitants of the borough of Beverley.

Chairman.] Are these traders within the borough of Beverley?

Mr. *Whitehead.*] Yes, their factories are within the borough of Beverley.

Chairman.] Then they would benefit from the revenue to be derived from what the traders would have to pay?

Mr. *Whitehead.*] But the amount of which they would be relieved as ratepayers would not at all compensate for the amount they would have to pay as traders.

Chairman.] You say they would have to pay for others?

Mr. *Whitehead.*] Yes, that is what I say; they would have to contribute to the rates in a larger proportion than any other inhabitants in the town by imposing that additional tax or toll of 1*d.* or 1½*d.* in respect of wharfage.

Sir *Richard Paget.*] Who own the canal?

Mr. *Whitehead.*] The Corporation of Beverley now own it, but it was constructed quite in the middle ages by the traders and it has now come into the possession of the corporation. From time to time since that date, I think beginning with the time of George the First, there have been improvements authorised in the navigation in the interests of the corporation who have become the legal owners.

Chairman.] I should like Mr. Pelham to tell us why the Board of Trade lumped the wharfage toll and the mileage toll together.

Mr. *Pelham.*] The circumstances of this navigation are very peculiar. I think if I had been asked off-hand I should have said that it was not a canal at all; but the corporation at the suggestion of the Board of Trade took counsel's opinion, and counsel said that though there were great doubts about it, he came to the conclusion upon the whole that it was a canal. You see how very different it is from most canals. If a boat passes from Driffield to Hull through the Borough of Beverley, it pays nothing whatever; but if it stops in the borough of Beverley and lands goods it pays something; it is the same as regards the short canal called the Beverley Beck; a boat may come up the Beverley Beck with 40 tons, and if it lands 1 ton it pays on that, and it pays nothing on the 39 which go up the River Hull. Therefore, the whole thing is a landing charge, a town due; I do not wish to say anything at present about the quantum, but that is the principle. My idea was this, that if we put in the ordinary wharfage toll distinguished from mileage toll, there would be endless disputes as to whether the wharfage charge was payable or not, because every trader on the Beverley Beck is exactly in the same position. There is no private wharf on the canal coming right up to the edge of the water.

Mr. *Scott-Fox.*] The large majority of the traders on the Beck support the Corporation.

Mr. *Whitehead.*] May I explain one thing. Mr. Pelham says that a boat may come up the Beverley Beck with 40 tons and land 1 ton. I want the Committee not to take that as a matter shat has been proved. Mr. Pelham suggested that such a thing might happen.

Mr. *Pelham.*] Yes.

Mr. *Whitehead.*] I will ask the Committee not to believe that that does happen till that is proved.

Chairman.] No; we believe nothing till it is proved.

MR. JOHN CHARLES BARKER, is called in; and, having been Sworn, is Examined, as follows:—

Mr. *Whitehead.*

4487. You are a member of the firm of Sheardown and Barker, seed-crushers, and corn and cake merchants at Hull, Beverley, and Driffield?—I am.

Mr. *Whitehead*—continued.

4488. Your premises at Beverley are situated on the Beck?—Our premises are situated near the top of the Beck, about three-quarters of a mile from the lock gates.

4489. I believe

Mr. *Whitehead*—continued.

4489. I believe you receive a large quantity of traffic along the Beck in the course of the year?—Yes.

4490. How much?—We have sent, on the average of the last four or five years, 4,114 tons a year, which is only about 2 per cent. of our total traffic.

4491. You say you sent, on the average of the last four or five years, 4,114 tons. How much did you receive?—That is inwards and outwards. Our total traffic on the Beck has averaged in the last four or five years 4,000 tons.

4492. You say that is only 2 per cent. of your total traffic?—That is only 2 per cent of our business trade.

4493. If the amendment you are asking for were granted, would you be able to put an increased amount of traffic upon the Beck?—We ought to be able to put a largely increased traffic on it. My trade on the Beck is the only trade that has increased in these last four years; it has increased threefold in four years, and we have also laid down plant sufficient to treble it again, making it ninefold. I hope to make it ninefold in the next five or ten years, owing to an invention of our own.

4494. Your premises are adjacent to the Beck?—They are.

4495. And therefore it is convenient for you to receive your goods and send them out by the Beck?—We bring the whole or nearly the whole of our raw material up the Beck, our seed and grain.

4496. How much per year have you paid to the Corporation in tolls on an average of the last few years?—About 102*l.* on the average.

4497. On what articles?—On cotton-seed principally, that is in Class C.; linseed, which is in Class C.; coal for the use of our machinery; and oil and cake. Oil is in Class 1, and cake is in Class C. The bulk of our traffic is in Class C.

4498. Are you in competition with other traders?—We are in very strong competion with other traders.

4499. Where are their works situated?—We compete with people at Driffield. They can carry their traffic up the River Hull and through seven locks for 2*d.*

4500. Are there any rivals to you nearer to Beverley?—There are Messrs. Stevenson, who fought the Corporation in 1837, and got clear of the dues. They are on the right side of the river.

4501. That is to say, their works are just outside the borough?—Their works are outside the borough, on the other side of the river.

4502. They pay no tolls upon the River Hull?—They pay no tolls upon the River Hull.

4503. How do you find the present tolls affect your traffic?—Taking the present tolls on Class 1, on barley they will be increased from 3¾*d.* to 4½*d.*

Mr. *Spicer.*] We have no evidence as to the present tolls.

Mr. *Whitehead.*] Take the illustration you were putting, of barley.

Mr. *Scott-Fox.*] There is no amendment suggested with regard to barley?

Witness.] It is in Class C., and in the last 15 days I personally sold 8,000 quarters of barley in this district, and I wish, as this trade is likely to grow, that this should come on the Beck.

Chairman.

4504. You say you have sold 8,000 quarters of barley in the last 15 days?—Yes, it is a trade that will increase.

4505. Where do you sell it?—At Hull, Beverley, and Driffield.

4506. You sell it outside Beverley?—On the Beverley market itself, some of it.

4507. And some outside Beverley?—Yes, at Driffield.

4508. That would not be affected by this?—The Beverley traffic would.

4509. But not the traffic outside?—No.

4510. Where do you get the barley?—From the Black Sea.

4511. Where does it come to?—Into Hull.

4512. Where do you get it?—We discharge three-fifths of it into craft for the tributaries of the Humber.

4513. What amount of it comes into Beverley?—I am not able to send it into Beverley by water, but we send it by rail. If we had lower dues we could send it by water.

4514. What you are now complaining of is the charge proposed by the Board of Trade?—I ask that the toll and the wharfage charge should be separated.

4515. You say you do not bring any barley into Beverley because the tolls are high?—Yes.

Mr. *Whitehead.*

4516. Let us follow up that point. What are the present tolls on barley?—You mean the maximum under the Act?

4517. The actual toll that you pay?——

Chairman.] He says that he does not have any barley by the canal.

Mr. *Whitehead.*

4518. What are the tolls you are asked to pay? What is the toll now payable?—Threepence three-farthings a ton.

Chairman.

4519. You cannot bring barley into Beverley at a profit, paying 3¾*d.*?—No; certainly not.

Mr. *Whitehead.*

4520. Barley is in Class C.?—Yes.

4521. And the toll you are proposing upon Class C. is 1½*d.* for the toll, and 3*d.* for wharfage?—Yes.

4522. If it should happen that under the existing circumstances of your traffic you would not become liable to the wharfage, then under your amendment all that the Corporation could make you pay would be the 1½*d.*?—Yes.

4523. You would effect a reduction from the actual charge of 3¾*d.* to 1½*d.*—Yes.

4524. Would that enable you to bring into Beverley a larger quantity of barley?—It would. We have tried it by experiment.

4525. What

Chairman.

4525. What happens to the barley when it gets into Beverley?—There are malt-kilns in Beverley. This barley has been going by rail. I wish to see this trade developed by water.

4526. Would you bring your barley to the wharf?——

Mr. *Whitehead.*

4527. I am going to make the witness explain that presently. (To the *Witness.*) Under the Board of Trade Schedule the maximum would be 4½*d.* on Class C.?—Under the Board of Trade Schedule it would be 4½*d.*

4528. You are at present asked to pay 3¾*d.*, which 3¾*d.* you find to be an excessive charge?—We find by experience that 3¾*d.* has excluded us from taking it; it costs us more than by rail.

4529. Is it the fact that your trade is one on which there is a very narrow margin of profit?—Certainly. The margin of profit on cake is 1 per cent., and on barley ¾*d.* to 1½*d.* a sack.

4530. What is the weight of a sack?—Sixteen stone.

4531. What is the margin on any other article?—On oil the margin is half per cent.

4532. So any increase in tolls becomes a very serious matter to you?—It becomes so serious that I had better remove altogether.

4533. Now, as to wharfage; Mr. Pelham suggested just now that there might be a dispute between the Corporation and the trader as to whether this wharfage was payable or not. What Mr. Pelham has done apparently under the Schedule is this: he has acted as if he were a court of law, and decided that question of right against the trader?—I think so.

4534. Now we will come to the actual circumstances of the case?——

Chairman.] I do not like to interrupt you, but I want to know this: Suppose he brings barley within the limits of the town, how does he get that barley out of the boat on to his premises.

Mr. *Whitehead.*

4535. I think you have got some photographs which show exactly what is done with your barley?—Yes (*handing them in*).

4536. Your works are fairly close to Beverley Brook. What is the distance of your works from the waterway?—About 12 feet.

4537. From your works there is a sort of sack tackle projecting over the towing-path to the canal?—Reaching over the water.

4538. Therefore when you come to load or unload that is done through the projection direct from the boat?—When we load the vessel comes underneath our projecting sack tackle, which is wider than the quay; it is filled in the sack and hauled up and never touches the wharf.

Chairman.

4539. Where is the ship all this time?—In the water.

Mr. *Whitehead.*] Where is the water?

Chairman.] He does not touch the water, but he draws the stuff up out of the ship which is in the water.

Mr. *Whitehead.*] It comes down from the projection into the canal.

Witness.] If this were not allowed it would be the only mill in my trade that has to pay wharfage when going up the sack tackle.

Chairman.

4540. You have your barley from Hull?—Loaded into barges at Hull.

4541. It comes from Hull to Beverley?—Yes.

4542. Seed does actually come?—Yes, the seed actually comes up to Beverley.

4543. Then you have some tackle which draws the seed or barley out of the barge into your premises?—Yes.

4544. Where is the barge all this time?—The barge is still in the Beck.

4545. At the wharf?—Yes.

4546. Then you are making use of the wharf?—We make use of the Beck.

4547. The Beck is carrying the ship?—Yes.

4548. And out of the ship you get your barley?—Yes.

4549. You are then making use of the wharf?—Yes.

Mr. *Spicer.*

4550. Who does the wharfage-way belong to between the wall of your premises and the edge of the wharf?—It belongs to the public; it is a public towing-path. I do not claim the wharf.

4551. Could the town forbid you having supports to that loophole on their wharf?—In 1882 we put a post to support it; but our hoist has been there for more than 20 years. We pay nothing for the sack tackle. We have paid 1*s.* a year for strengthening that.

4552. Could they order you to remove it?—No.

Mr. *Whitehead.*

4553. Up to the year 1882, for some considerable period of time, you had a projection over the towing-path and over the canal?—Yes.

4554. There was at that time, up to the year 1882, no support touching the towing-path?—No.

4555. In 1882 you wished to strengthen that?—Our predecessors wished to strengthen it.

4556. And they obtained permission from the Corporation to break up the towing-path and put a post?—Yes.

4557. And for that breaking up did you pay a certain rent to the Corporation?—A shilling a year.

4558. That 1*s.* a year is not a rent or an admission or an acknowledgment to the Corporation of your right to have your sack tackle over the canal, because that you had long before 1882?—That is perfectly correct.

4559. In 1882 you or your predecessors obtained permission?—I am going by the Corporation accounts showing that.

4560–1. Do you now pay to the Corporation 1*s.* a year?—Yes.

4562. For the use of the post?—For the use of the post we pay 1*s.* a year. It can be now removed, we do not need it.

4563. If you like can you take the post away?—Yes, and shall do so.

4564. You are prepared to remove the post and your rent of 1*s.* will no longer be necessary?—Yes.

Chairman.] The question is whether this gentleman makes use of the wharf.

Mr. *Whitehead.*

4565. The public wharf of the company is. I believe at the end of the Beck, that is the station where the general merchandise of the town comes up the Beck and is loaded and unloaded?—We have a photograph here——

Chairman.] Please answer the question.

Mr. *Whitehead.*

4566. Where is the terminal station at which the general traffic of the town is loaded and unloaded, on the Beck?—It is about 50 feet from our property.

4567. On the opposite side?—On the same side.

4568. Is that public station of the same character as the wharf in front of your premises?—No, it is paved with round cobbles and has two cranes erected upon it, it is a raised quay; whereas ours is not timbered or anything, ours is merely an earthen pathway, and we cover the earthen pathway with asphalte at our own expense.

4569. When a trader passes up the Beck and unloads his merchandise at that station his boat also occupies the water of the Beck in the same way that yours does when unloading?—Yes.

4570. And in addition he gets the use of certain accommodation provided at the station by the Corporation?—Yes, he uses the land and the cranes.

Sir *Richard Paget.*] This gentleman may do the same.

Mr. *Whitehead.*

4571. At your works do you use their land?—We do not object if we use their wharfage to pay wharfage.

4572. If you use that wharf you do not object to pay?—No.

4573. But when you do not use this accommodation you wish to get off this wharfage charge?—We do.

Chairman.] Do you think that the wharfage is confined to the station, and no other part is considered a wharf?

Mr. *Whitehead.*] That was settled last year,

Chairman.] I have nothing to do with last year. You say that the only wharf under the jurisdiction, so to speak, of the town of Beverley is the one up at the station.

Mr. *Whitehead.*] Section 3 of the Order is this: "The maximum wharfage charges are the maximum charges which the company may make for the use by a bye-trader or other person, for a reasonable period, of a landing place provided by the company at a terminal station for the purpose of loading or unloading merchandise, and for the purpose of the bye-trader dealing with merchandise as a carrier thereof, before or after conveyance, over the canal."

Lord *Clifford of Chudleigh.*] You left out the words "(exclusive of cranes, and the machinery plant and power for working the cranes, and provision of labour in connection therewith)."

Mr. *Whitehead.*

4574. I was only dealing with the geographical area; but the use of cranes would be a matter for which the Corporation could charge something in addition to the 4½*d.*, which is the toll for Class C. (To the *Witness.*) If this wharfage charge were distinguished from the toll under this Section 3, that wharfage charge would be payable at the terminal station on the Beck?—It would be at the terminal station.

4575. Then, in addition to that, any trader there would be liable to pay something to the Corporation for the use of their cranes?—Yes.

4576. And that addition, whatever amount it might be, would enlarge the figure of 4½*d.* which you have given us as the maximum for Class C.?—Of course.

4577. And thereby considerably increase the 3¾*d.* which is your actual toll?—It would increase our actual toll whatever it is.

4578. Whose is the principal traffic which uses this terminal station?—I have been across this place constantly, and I have noticed the cranes being used by Colonel Hodgson, of Hodgson, Sons, and Company, Limited, for discharging his traffic, and he is the largest payer of dues.

4579. Colonel Hodgson is the largest trader making use of this terminal station?—His works are not on the Beck.

4580. Therefore, he has not got anything corresponding to your sack tackle?—No.

4581. And is, therefore, obliged to use the terminal station?—Yes.

Sir *William Houldsworth.*

4582. Is this crane your property?—The crane itself is our property. We pay a shilling a year for depositing the crane; we do not deposit our grain with the crane; it is exactly the same as we pay for the post.

Mr. *Spicer.*

4583. Is there any warehouse along the Beck that is directly on the wharf itself?—Without an intervening piece of towing path?

4584. Yes?—No.

4585. You maintain that if these tolls were divided up by the amendment, you would only expect to pay the tolls and not wharfage charges?—I expect to pay only the toll on what went up the sack tackle.

4586. You look upon the sack tackle as being part of the wharf?—Yes, as at Lincoln.

4587. I know nothing of Lincoln. This is a towing-path and you look upon a towing-path as private property?—No, as a towing-path.

4588. If you have the right to use it, it is private property in connection with the warehouse?——

Mr. *Whitehead.*] At the present time the rates are those with regard to the towing-path; and the trader having works adjacent to the towing-path can cross the towing-path without paying anything; but if he obstructs the traffic then the company can restrain him from doing it, but only if he obstructs the traffic along the towing-path.

Sir *Richard Paget.*] Would it not be held to be a technical objection if you erected a crane.

Mr.

Mr. *Whitehead.*] A crane, yes, but he pays a rent for it, but that projection is not an obstruction to the towing-path at all, because all the horses and all the men can go along it without obstructing the traffic in any way. As a question of law there is no doubt a trader can cross that towing-path from his works and use it just as an ordinary person going along a street can use the pathway to get to the road without paying anything for the privilege of so doing, providing he does not unduly obstruct the traffic along the towing-path or along the footway.

Sir *William Houldsworth.*] Then you hold that if this was the case of an ordinary canal, and you chose to take the sacks out on a man's back, the man could go into a barge, put a sack upon his back, and walk across without paying any wharfage.

Mr. *Whitehead.*] Yes, there is no doubt of that at all.

Sir *William Houldsworth.*] At any part of the canal?

Mr. *Whitehead.*] Yes. And this Schedule expressly reserves the right. This matter was fought out last Session. And this proviso has been expressly inserted to preserve their rights: On page 5, Section 6, line 5, "But nothing in this Schedule contained shall authorise the company to make any charge for loading or unloading over the towpaths or canal banks, provided no injury is done to the property of the company, or obstruction caused to the traffic passing on the canal. Any difference arising under this section shall be determined by an arbitrator to be appointed by the Board of Trade." These words were inserted when dealing with the Grand Junction last year, to meet this very case. It is exactly the same sort of thing.

Cross-examined by Mr. *Scott-Fox.*

4589. When did you come on to this property?—We became tenants in 1886 or 1887.

4590. Who were you tenants to?—We were tenants on an option of purchase.

4591. Were you tenant to Mr. Josiah Crathorne?—Yes.

4592. Before 1887 you knew nothing of the property of your own knowledge?—I knew nothing except from the figures of the Corporation.

4593. I will give you the figures of the Corporation. Here is a Schedule of the real property belonging to the Corporation of Beverley in the year 1889, at which date you were tenants of Mr. Crathorne "situation of property, Beck-side; tenant, Josiah Crathorne. Payments, Wharf-road, shilling, ditto shilling, standage of crane five shillings; projecting hoist, five shillings; standage of iron post, sixpence." As you appeal to the document of the Corporation of Beverley, do you agree that Mr. Crathorne, your landlord, in 1887 paid, as a recognition of the right of the Corporation, to stop him, if they chose, from having this very projecting hoist, the sum of 5*s.* a year?—I accept it. I was not aware of it.

4594. What right have you to say that for 20 years this thing had been done without any payment for it, as I understood you to say to my

Mr. *Scott Fox*—continued.

learned friend. You withdraw that?—If these are correct, I do.

4595. When you bought this property, was not the property opposite this land described as a wharf, and described as bounded by wharf?—I cannot say.

4596. Is not this a copy of your own conveyance as registered in the Beverley East Riding Registry Office. You admitted to the Committee that you do not claim any property in the wharf?—Yes.

4597. It is a wharf, and your property is bounded by the wharf?—It is the towing-path, not the terminal station.

4598. Is it not a wharf, and described a wharf in this document, your own title-deed?—Then the whole Beck is a wharf.

4599. I agree with you, the whole Beck is a wharf; so that if you were to succeed, according to your contention, there would be litigation between the Corporation and all the people along this Beck as to how much they were to pay; are you in a different position to anybody else?—Yes.

4600. Where?—I am the only manufacturer on the Beck, the only person who has a sack tackle whether I have a right there or not.

4601. You now agree that you have no right except by the permission of the Corporation?—It appears so.

4602. What different position are you in from anybody else who chooses to buy a little land outside the Corporation property and puts a rope over and gets his things across?—I am only using the towing-path.

4603. Your claim is to cut down the right of Corporation of Beverley, so that they may not have wharfage anywhere?—By no means; I offered to pay wharfage or crane hire, if I used the terminal station.

4604. Why is not all this wharf a terminal station?—Why is not all the bank of the river a terminal station?

4605. I am inclined to think it is in this case?——

4606. You are the only gentleman in Beverley who appears to support this objection to the scheme of the Board of Trade?—There is not another person likely to, there is not another trader likely to that could do; the others are willing but have not the money.

Chairman.

4607. You are the only trader who appears?—Yes.

Mr. *Scott-Fox.*

4608. You know Colonel Hodgson, a much larger user of this Beck does not object?—He is not likely to.

4609. No one else objects but you?—Because we are the only people.

4610. Independently of this question of splitting the wharfage dues and causing litigation between you and the Corporation of Beverley and other persons, the only amendment which you propose to the Committee is one of a single penny in Class 1, is it not?—It is.

4611. That is not barley?—No, it is not.

4612. Will you kindly say since you have

Mr. *Scott-Fox*—continued.

made that amendment what the total amount on the whole Beck of the tonnage which is landed in Class 1 is. I will give the figures: in the year 1892, 2,741 tons; in the year 1893, 2,585 tons; or an average of 10*l.* a year for the whole saving. What you want to save is an average of 10*l.* a year for the whole town. You youself I think have landed about 500 tons?—Yes.

4613. It would make a difference to you personally of 2*l.*?—Yes.

4614. And that is all you come to trouble the Committee about, except this point of splitting the wharfage from the rest of the charge. The only alteration in this Schedule involves 10*l.* altogether for the whole town and 2*l.* to you personally?—We object to the increase.

4615. Is it an increase of our present dues?—Yes.

4616. Are not the present lading dues for this very stuff, oil, 7*d.*?—On oil 7*d.*

4617. Is not that the only article that you deal with under Class 1?—Yes.

4618. The present dues are 7*d.* under the Schedule of the Board of Trade; is not there a reduction of 1*d.* to 6*d.* on oil?—On casks.

4619. That is a thing common to all. Without splitting hairs about casks, every one of the lading dues is reduced a penny by the Board of Trade, and you want another penny, making a difference of 2*l.* to you?—There may be a theoretical 7*d.*, but it is an increase practically because they have a charge upon return empties; we do not want a reduction about them; we do not want to make the Corporation figures ridiculous.

4620. You were present at the Inquiry before Mr. Pelham?—Yes.

4621. It has been represented that this matter came as a surprise; was not it at Mr. Pelham's suggestion, when I was opening the case that this would be a case in which it would be well to have a single charge?—No, I separate it.

Chairman.] We need not go into that. We need not go into what took place before Mr. Pelham or what Mr. Pelham said.

Re-examined by Mr. *Whitehead.*

4622. Take the last matter that Mr. Scott-Fox mentioned to you on Class 1; he says your traffic at the present time only amounts to 2*l.* in the year?—No, he said a difference of 2*l.*

4623. Because your traffic is a small one?—Yes.

4624. If I understand your contention rightly it is this: you want the reduction in order to increase your traffic?—We have already erected plant and converted a bone mill and manure works, and we shall increase the traffic if we get these reductions.

4625. In proving that fact for you he has proved your case upon that point?—Yes.

4626. If your traffic at the present time is very small I think we may take it to be small in consequence of the tolls?—Yes, it will be constantly increasing if we get the reductions.

4627. Now, upon the question of empties; at the present time the charge in Class 1 for oil is 7*d.*?—Yes.

Mr. *Whitehead*—continued.

4628. Does that include something that is not included in the maximum toll-charge fixed by the Board of Trade?—That is on the net weight of the oil.

4629. Not including the weight of the cask?—Yes, not including anything for the cask.

4630. That charge of 7*d.* not only excludes the weight of the cask, but includes the return of the empties?—Yes.

4631. Under the Board of Trade Schedule the weight of the cask will have to go in as if it were oil?—It must come into the same class as Class 1.

4632. And you will have to pay for the return of the empties as if it were an article in the same class as the article originally contained in the cask?—Yes.

4633. What difference would it make in the tolls proposed by the Board of Trade?—It would make them higher than they have been.

4634. Will you explain how that is?—The proposal would make it 7½*d.* instead of 7*d.*

4635. So that in Class 1 the Board of Trade proposal, taken in connection with the condition imposed upon the traffic, would mean an increase up to 7½*d.* from 7*d.*?—Yes.

4636. Therefore it is not accurate to say the Board of Trade proposals do not cover the existing toll?—That is so.

4637. It has been put to you that you are the only trader here?—Yes.

4638. You are the only manufacturer along the beck?—Yes, the only manufacturer.

4639. And therefore it is natural that you should be here in person?—There is a manufacturer, a ship-builder, paying no dues.

Sir *William Houldsworth.*

4640. What length is the Beverley Beck?—Three-quarters of a mile.

4641. And you are very near the end of it?—Near the extreme end.

4642. And it does not go any further?—No.

4643. Are you aware of any one along the side of the Beverley Beck that uses it for landing things from the barges?—Yes, coal largely.

4644. How do they do it?—They barrow it.

4645. They put it on to the side of the canal; what you call the towing-path?—Yes.

4646. And in barrows take it across?—Yes, we do our coal the same way.

4647. You use it for a wharf?—Yes, and we us it for oil as a wharf, and for cake as a wharf.

Mr. *Spicer.*

4648. Do you pay the dues for it?—Yes.

4649. You pay for barrowing coal over?—Yes, and I am willing to pay dues.

Sir *William Houldsworth.*

4650. You do pay dues for what you land?—All what we land.

4651. Do you pay the full amount?—Yes.

4652. And you want to get off it if you can?—Yes, that we may develop the trade.

Mr. *Spicer.*

4653. But you have developed it under these tolls?—Yes, but I have the option of removing my mill.

4654. You

Sir *William Houldsworth.*

4654. You run the oil over the towing-path?—No, we discharge it from the mill to the vessel over the towing-path.

4655. Do you pay wharfage charges?—Yes.

4656. Do you propose if these were separated to get off that wharfage charge?—We are willing to pay the wharfage charge upon everything that does not use the crane.

4657. When you load or unload across the towing-path, and use it in that way, you are willing to pay?—Yes.

Mr. *Spicer.*

4658. I see Tiger's Manure Works are situated very similarly to your own works?—On the river.

4659. And the same tolls would come in?—Yes.

Mr. *Pelham.*] There is a different toll on the river.

Mr. *Spicer.*

4660. Have they anything in the way of a hoist?—No, they have their own wharf, and they would have been objectors if——

Chairman.] We cannot have that.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] That is all the evidence that I shall place before the Committee.

Lord *Clifford of Chudleigh.*] I notice in nearly all the other Schedules, if you added the tolls and wharfage charge together, there would always be a difference of 1*d.* in Class 1, and that is not so under this Bill; is there any reason for that?

Mr. *Pelham.*] I cannot say whether I went into that question very fully. I should like to say that I was under the idea that I had given a reduction all round. As a matter of fact, the Corporation, I think, were making a nett income out of this canal of about 900*l.* a year. The proposals of the Board of Trade cut the profit down to 600*l.* The fact was that the proceeds of the canal under an Act of Parliament may be applied to the maintenance of certain roads leading to the canal. As a matter of fact, the Corporation have been paying a certain proportion to the whole of the roads throughout the borough out of the canal profit. It seems to me that they have been going a little beyond what might be called the canal undertaking. It was all very well repairing the roads just round the Beverley Beck, which might be said to be part of the undertaking; but it was a different thing repairing a large part of the roads of the borough. I do not know that the Board of Trade have jurisdiction to consider the matter, but they did feel that there was no necessity for having so large a surplus. I do not in the least say that the decision of the Board of Trade is a right one, it is a compromise; it took 300*l.* off their profits, one-third, and, on the whole, seemed to give them satisfaction all round. That is all I have to say. I have already spoken about the division between the wharfage charge and the tolls, and I do not know that it is necessary to say anything more about it, but there are roads all round the Beverley Beck; it is not simply a towing-path.

Sir *William Houldsworth.*] You treat the whole of the Beverley Beck as a large wharf.

Mr. *Pelham.*] That is really it.

Mr. *Spicer.*] You do not consider that that clause upon page 5, line 6, applies to this.

Sir *William Houldsworth.*] If you call it a towing-path it would apply.

Mr. *Pelham.*] I do not know whether it is a towing-path, therefore I surmounted that difficulty by giving the gross tolls. Mr. Whitehead said I gave it against the traders, but I have given it in favour of the traders, for the gross tolls are less than they pay now.

Chnirman.] The Committee will not call upon you to reply, Mr. Fox. They will not accept the amendment.

(CALDER AND HEBBLE NAVIGATION.)

The following Petitions against the Order are read:

The Petition of the COMPANY OF PROPRIETORS OF THE CALDER AND HEBBLE NAVIGATION.

Mr. *Balfour Browne*, Q.C., and Mr. *Carr*, appear as Counsel in support of the Petition.

Messrs. *Lewin and Company* appear as Agents.

The Petition of the MANSION HOUSE ASSOCIATION ON RAILWAY AND CANAL TRAFFIC FOR THE UNITED KINGDOM (INCORPORATED).

Mr. *Whitehead* appears as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

Mr. *Balfour Browne.*] In this case I have the honour to appear for the company, and if you will allow me I will hand in a little plan. I am afraid the cartoon is so faded that it will be impossible to see it.

Chairman.] I should like to know which of the proposed amendments at the present moment it is intended to proceed with; all of the amendments?

Mr. *Whitehead.*] The first amendment stands in the name of the Mansion House Association and I propose to prove it.

Mr. *Balfour Browne.*] With regard to the Mining Association I may say they have withdrawn.

Mr. *Whitehead.*] The next one is consequential upon whatever the decision of the Committee may be upon the first. It is an amendment by the company. They say if you grant what I ask upon the first amendment then they propose some extra tolls.

Chairman.] We have only three amendments to deal with.

Mr. *Whitehead.*] The third one, to omit Section 4, is opposed.

Mr. *Balfour Browne.*] That is a separate matter and I will not deal with it just now.

This canal, the Calder and Hebble, is really a link in the chain part of which you have already been dealing with. You will remember that the Rochdale Canal runs as far east as a place called Sowerby Bridge. The Calder and Hebble runs east again from Sowerby Bridge till it joins the Aire and Calder Navigation at a place called Fall Ing Junction. There are also junctions made with other canals. Then you may remember the name of Cooper Bridge, the junction with the Huddersfield Canal. Then there is a little canal called the Dewsbury Old Cut, belonging to the Aire and Calder; and but for that the navigation is in our hands from Sowerby Bridge to Wakefield. The length of that canal is 21½ miles. Upon it there are a number of locks, 42 in all, and 61 flood locks. This canal is an exclusively toll-taking canal; it is not a trader on its own canal at all; it merely owns the waterway and takes tolls from those who pass along it. It is managed exclusively in the interests of the traders. We proposed when we went to the Board of Trade——

Chairman.] As I understand, you are agreeing with the proposals of the Board of Trade.

Mr. *Balfour Browne.*] I am agreeing absolutely with the proposals of the Board of Trade. I was going to suggest that as I am agreeing, perhaps the best course to follow would be that which you followed in the Trent case, and to call upon the other side to say what they have to say. I have only one remark to make, and that is this. The only persons appearing are the Mansion House Association; but whenever anybody is too ashamed to appear in his own person he always comes in the person of the Mansion House Association.

Mr. *Whitehead.*] Really.

Chairman.] I think what we had better do is this. You having accepted the proposals of the Board of Trade, if anybody wishes to make any objections to them we will hear those objections.

Mr. *Balfour Browne.*] I will unmask these people on cross-examination.

Mr. *Whitehead.*] We have heard something about a defendant, when he has not got a case, abusing the plaintiff's attorney. I infer that my learned friend thinks he has got a bad case on the merits. Still, till I hear what he has to say I will reserve my remarks upon that point. Our first amendment is this: At page 13, lines 18 to 23, omit section iii. That deals with one of these questions of bonus mileage, the general features of which the Committee are already familiar with. If the Committee will refer to that section they will see that the Board of Trade have given a double distance upon certain reaches in this canal. "In calculating the distance for all purposes of tolls and charges each quarter of a mile of distance on the Halifax branch of the canal and each quarter of a mile of distance between the Fall Ing Lock and the Flood Lock at the upper end of Thorne's Cut shall be taken as equal to half a mile."

Sir *William Houldsworth.*] We see on the map the Halifax Branch of the canal; we do not see quite so clearly the second one.

Mr. *Whitehead.*] There is a straight line towards the Wakefield end going from one part of the river to the other, making a short cut. The Flood Lock at the upper end of Thorne's Cut is the point where that straight line joins the river to the left.

Mr. *Balfour Browne.*] It is at the letter "o" in the word "navigation."

Mr. *Whitehead.*] Thorne's Cut is that cut running from "o" to "n." Then you come once more upon the piece of river from "n" to the point where there is another red line diverging to the right. That red line is the Fall Ing Cut, and at the end of that where it joins the blue there is the Fall Ing Lock.

Lord *Hawkesbury.*] Were not these Cuts dealt with last year on the Aire and Calder?

Mr. *Whitehead.*] They came up on the Aire and Calder last year, and the Committee rejected the proposal of the Aire and Calder that they ought to have a bonus mileage in respect of that. Under their old Acts the Aire and Calder, because they had shortened the distance for the benefit of the traders, were allowed to charge at the old distance along the circuitous route; and then the Aire and Calder asked the Committee last year to reserve for them the power to charge as if the traffic had gone along the circuitous route instead of along the short cut. Parliament rejected that plea, which the Aire and Calder put forward, and reduced the distance of the Aire and Calder from 37 miles to 33½ miles, but gave them a bonus mileage upon the very expensive aqueduct they had constructed, which extended for about 100 yards.

Mr. *Pelham.*] The Halifax Branch, a mile and a quarter, is to count double, that gives an extra mile and a quarter. At the Wakefield end two miles count as four.

Mr. *Whitehead.*] So, while the Aire and Calder were reduced in mileage in respect of similar cuts, this company, under the Schedule of the Board of Trade, gets an increase from 21½ to 25 miles. The Aire and Calder similarly had their

their tolls reduced last Session, a reduction involving, as they informed Parliament then, an actual loss of 15,000*l.* a year, and yet Parliament did not think it right to give them a power to charge for a distance which the traffic did not, in fact, traverse. Now, I would ask the Committee to remember what are the circumstances under which, up to the present time, this Committee has granted these exceptional privileges to canal companies. The Committee will remember they have done it under these conditions, and no other: first, where there has been some really large expenditure upon a small portion of the canal. You will remember that when you were dealing with the Trent and Mersey Navigation they came before the Committee and said that upon their Harecastle tunnel, about a mile in length, they had spent a quarter of a million of money. That of course was a very serious consideration, and the Committee gave weight to that large expenditure and gave them a bonus mileage. In other cases the Committee have not only considered the expensive construction, expense out of all proportion to the ordinary cost of constructing a mile of canal, but they have considered the question of loss of water which has sometimes been inflicted upon the canal companies in the lower reaches of their canals. But in neither case have the Committee granted a bonus mileage unless in association with those two considerations, it was found that the company would incur a loss upon the particular traffic affected. I think I am not saying too much when I say that up to the present time they have never given a bonus mileage, unless in a case of expensive construction or great loss of water, together with in each case a serious or substantial loss under the Board of Trade Schedule upon the particular traffic affected. Now I will deal with those considerations so far as this canal is concerned. Take the question of expensive construction. On the Halifax branch, which is a mile and a-quarter, I admit, and all the traders admit, that the company have been put to larger expense than they have upon any other portion of their navigation. That is a cut which goes up-hill, and in which there are a large number of locks. It was originally, I admit, more expensive to construct than the rest of the navigation. But then what the Committee have to consider is this: they are dealing with the navigation as a whole. The company are asking you to take this particular cut out of the rest of the navigation and treat it on an exceptional footing. I submit that before the Committee would consent to that they would consider what are the general circumstances, the general cost of construction, taking the canal or navigation as a whole. If, for example, you fix in the toll column the typical tolls which you have given to an ordinary canal, having regard to the amount of money spent upon it as a whole; if you fix those tolls for a navigation which in respect of the principal part of its course has cost somewhat less than a typical canal; that is to say, if you impose those normal tolls upon the traders when the company has been at a comparatively small expense on the whole canal, except on a particular reach, then when you come to deal with some small cut or reach upon the canal that has cost more in the first instance, you must sweep that in with the rest and not give them exceptional powers upon the particular reach, unless they can show that upon the whole of their navigation they have incurred greater expenses than have been incurred on the normal and typical canal in respect of which the typical toll is granted. The capital expenditure appearing in the Board of Trade Returns furnished by this company is 172,000*l.* That is their capital over the whole. And if you look to the mileage upon this canal you will see that 21½ miles is the total length. Then there is the Halifax Cut, a mile and a-quarter, that makes 22¾ miles, and if you divide that mileage into the total capital expenditure upon the canal, you find that it does not bear any proportion which is outside the normal figure; it is lower on the whole than the normal figure, and not above it; it is lower than the normal figure of about 15,000*l.* a mile, which has been spent upon a typical canal, to which you have given typical tolls. It is perfectly true that this company have spent, out of revenue, some further sums just as other companies have spent further sums out of revenue on account of capital expenditure; but as Mr. Browne said the other day, when appearing for traders, if the company do not ask for a dividend upon that expenditure out of revenue, we need not consider what the quantum of that expenditure was. Therefore, I leave that. You have to bring in this additional expenditure upon the Halifax Cut; to sweep it in with the rest of the expenditure upon the rest of the canal, and view it in relation to the typical tolls inserted in other Schedules. Now take the Wakefield end.

Mr. *Balfour Browne.*] Do you admit that there should be a bonus upon the Halifax part?

Mr. *Whitehead.*] No; what I say is this, that the Board of Trade have given them the typical tolls; nobody asks to reduce those; but not only have they given them the Leeds and Liverpool toll, but upon Class C. they have given them the higher toll of the Aire and Calder, ·85 instead of ·75. As this company gets something very substantial in the way of tolls in comparison with the typical canal, and if their capital expenditure upon the whole of the navigation does not exceed such capital expenditures as have already been placed before the Committee on other canals, then I say, do not give them any exceptional power of charge upon any particular piece of the canal, but treat the whole system upon one uniform plan, just as you have treated all exceptions and other things which were originally reserved in favour of traders, and deal with them upon the basis of the ordinary tolls. Do not confer upon this company a new method of charge which they have never had before. Now I pass to the Wakefield end. If the Committee look at the Fall Ing Cut going down from the river towards the Aire and Calder, and the Thorne's Lock Cut going from Flood Lock down to Thorne's Lock, they will see that the distance to be traversed by boats has been diminished by making those cuts; the total diminution is about a mile. The total distance from the upper lock on Thorne's Cut down to the Aire and Calder is about two miles. The

Board of Trade have doubled that mileage, giving them, therefore, two bonus miles in that portion of the canal. In fact, because they or their predecessors, or somebody, have shortened the route for one mile, the Board of Trade have given them a two-miles power of charge for a distance which the traffic does not pass over. That reach, as the Committee will see, consists partly of an artificial cut, then of a piece of river, and then again an artificial cut, the Fall Ing Cut. I admit there has been a saving of distance to the traders, but the Board of Trade, when they were drawing these fine distinctions between one part of the navigation and another, which I submit are adverse to the interests of the traders, seem to have overlooked the fact that even in that little reach you have two sets of conditions, you have half the reach artificial and you have half the reach the old river bed, half the reach the natural waterway already provided for the company, upon which, it is true, they might spend a certain amount in improving the navigation, but which they find ready to their hand, and which does not cost them anything excessive or out of the ordinary rule in respect of construction. So that piece of reach has not cost them very much. Not only so, but upon the lower portion of Fall Ing Cut the company themselves have only paid half of the cost of construction. That cut was made at the joint expense of the Aire and Calder and the Calder and Hebble.

Chairman.] Which cut is that?

Mr. *Whitehead.*] At the junction between the Aire and Calder and the Calder and Hebble. So if they are going to base their case upon excessive cost of construction I say, first of all, as regards those two miles, half the distance is natural river, and as regards the other part, which I admit was constructed artificially, half the expense was borne by the Aire and Calder. Upon that lower reach I ought to inform the Committee of this; it may be urged against me that the lower reach is of a broader nature, a broader canal than the higher reach of the canal. The exact boundary, I think, is not marked on the map, but going a distance of about four miles, there is a lock called the Figure of 3 Lock; up to that point from the Aire and Calder the canal is a broad canal, of somewhat similar gauge to the Aire and Calder, but from the Figure of 3 Lock on to Sowerby Bridge or on to Halifax, the navigation is a narrow one, and only narrow boats can proceed along it. It might be urged against me that this portion of the navigation is of a broader nature, and therefore larger boat loads can go, and so far as the traffic is confined to it the expense to the carriers is proportionably reduced, it would be fair to impose upon that a slightly higher power of charge than upon the rest of the canal. But the fact is this, if you refer to the map you will see that all the large towns, and all the important centres of industry along that canal are above the Figure of 3 Lock. You see Mirfield, Dewsbury, Halifax, and Sowerby Bridge; and the fact is that in substance the important towns upon that route only get the benefit of the narrow canal. Traffic entering this navigation at Fall Ing Lock, traverse the broad portion free, but it traverses it, not in a broad boat in such a way as to get the benefit of the extra accommodation along the route, but in a narrow boat; and I say such a consideration of the breadth of the canal on the lower portion of it towards Wakefield is no reason why you should impose on through traffic going from Fall Ing Lock on to Halifax that extra toll for accommodation the benefit of which it cannot avail itself of. That is with regard to cost of construction and the sort of accommodation provided. The other consideration put before the Committee very frequently is the cost of water, the expense of water in the lower reaches of the canal. Here I still take the Halifax branch again. On the Halifax branch, as I have explained, there are a series of locks, and upon that particular portion of the canal they have to pump water like any ordinary canal, they have a reservoir, and they have to pump water from that in order to supply water for the traffic coming up and down that hill. But there again, when dealing with the Halifax branch, I must ask you to consider the rest of the navigation. It so happens that that mile and a-half alone of this canal is the only portion of the whole of the navigation upon which the company have to acquire water by artificial means; they get the drainage water down from the Rochdale Canal at Soweroy Bridge, they get the water coming from Hebble Brook, and they get a continuous flow of water from the River Calder. In fact it is only upon that small portion of the canal that they are put to any expense in respect of water; I must go back to the illustrations I used before when I was dealing with the cost of construction. If the cost of reservoirs, the cost of providing locks, and so forth, is to be any consideration when dealing with the Halifax branch; then you must take into consideration, when you are dealing with the rest of the navigation, the fact that here you have a company that does not have to provide any water at all; it is at no expense for water. Under the Schedule they get typical tolls—tolls given to companies who have been put to great expense for the water; in some cases you have had evidence to show that it costs them 8*s.* 6*d.* for a lock-full of water: in one case before the Committee it cost the company about 12*s.* a lock-full of water; but here, in respect of the bulk of the traffic passing along the canal, the company incurs no expense whatever, because all their water comes from natural sources of supply. The Board of Trade have made no exception in respect of this Halifax branch; have they made any exception in favour of the trader upon the rest of the canal; have they given him lower tolls because the water is so inexpensive to the company? No. There, so far as that is concerned, the Board of Trade were considering the principle of uniformity, and they placed upon the trader these uniform tolls similar to those upon other canals—similar to those on the Aire and Calder—for the sake of uniformity, so that they might have ·50 and ·75 throughout the toll clauses of all navigations. If no consideration was shown to the trader in the toll column, then I submit no consideration should be shown to the company when you are dealing with any portion of their canal where the water costs them nothing. The cost of water in respect

respect of this particular branch is not excessive at all. It was given in evidence before the Board of Trade that it cost 5*s.* 9*d.* a lock. A gentleman who had control over this canal for 20 years gave evidence, and said that, after deducting 10 per cent. for depreciation, the cost of each lock full upon that branch was on the average 5*s.* 9*d.*

Sir *Richard Paget.*] What dividend does the company pay?

Mr. *Whitehead.*] Four per cent. I think up to the present time the Committee have never allowed either expense of construction or expense of water to induce them to grant to a company a bonus mileage, unless there has also been shown that there would be a loss to the company upon the traffic unless that bonus mileage were granted. Now here I shall put before the Committee certain figures that would show the effect of my amendment, and I will show the Committee from those figures that their actual revenue in the year 1890 (these are the figures they themselves gave to the Board of Trade) was 10,584*l.* The Board of Trade have given them a maximum power of 14,425*l.* upon that same traffic (I am not taking all the traffic upon their canal); this traffic represents the bulk of the traffic upon their canal, the traffic that enters the navigation at Fall Ing Lock, representing 80 or 90 per cent. of the total traffic. Our Mansion House amendment would give them a sum of 12,674*l.* as the maximum. So, whilst the Board of Trade have given them a margin of 36 per cent., our amendment will not reduce their tolls, will not deprive them of revenue, but give them a margin over their existing revenue of 20 per cent., 12,674*l.*, as against the existing tolls of 10,584*l.* At the present time that revenue of 10,000*l.* a year enables them to pay 4 per cent.

Sir *Richard Paget.*] Do you say that the existing tolls should be the actual tolls charged?

Mr. *Whitehead.*] Yes. I have told your Grace that those figures relate to 80 or 90 per cent. of the traffic which enters the Fall Ing Lock, and goes along the route.

Sir *William Houldsworth.*] Have you the figures of the total?

Mr. *Whitehead*] No. I think it represents 80 or 90 per cent. as I put it.

Mr. *Spicer.*] These three sets of figures are all upon the same basis.

Mr. *Whitehead.*] Yes; I will prove them by details, and go into the details upon the Tables.

Sir *Richard Paget.*] The first figure you gave was existing actual tolls; the other two are the Board of Trade, and your maxima.

Mr. *Whitehead.*] That is so. Of course it may be suggested here, as in many other cases it has been suggested, that the Calder and Hebble Navigation will not be in a position to make use of the margin given by the Board of Trade; that it is a margin upon paper; that these tolls will not become effective in practice as any new actual charges. Now, for that purpose, your Grace has to consider this. This, as my learned friend Mr. Balfour Browne stated in opening for the company, is part of a through route; it is the connecting link between the Aire and Calder on the east, and the Rochdale on the west, and there is traffic passing from the Aire and Calder right through on to the Rochdale Canal, which will become subject to these additions. There is also traffic entering from the Aire and Calder and stopping upon some portion of this Calder and Hebble Navigation. All that traffic of course at the present time is paying a certain toll. That toll which is paid for the total journey is represented by the toll on the Aire and Calder plus the toll on the Calder and Hebble. Suppose for the sake of argument that that toll at the present time upon any particular consignment is 2*s.*, it has been proved by experience that that traffic can pay the 2*s.*; it is traffic actually passing and paying that toll upon the total journey. Last Session Parliament limited the power of the Aire and Calder Navigation; and therefore, to make one further assumption, supposing that toll of 2*s.* included 1*s.* 6*d.*, Aire and Calder and 6*d.*, Calder and Hebble, and Parliament we will say reduced the 1*s.* 6*d.* of the Aire and Calder down to the figure of 1*s.* It has been proved by experience that that traffic can bear a charge of 2*s.* If you give to the Calder and Hebble power to increase their charges that 6*d.* which was knocked off the trader tolls on the Aire and Calder will not be saved as Parliament intended it to be saved out of the traders' pockets, but will be extorted from them over this reach of the canal to which the bonus mileage applies. Every ton of traffic entering the navigation at Fall Ing Lock will be subject to this bonus mileage. That is a traffic representing about 400,000 tons in the year. The bulk of that traffic has been shown by experience to be capable of paying in the whole 2*s.* At the present time it pays 6*d.* upon the Calder and Hebble; in the future upon the Aire and Calder it will pay 1*s.* If you give to the Company any power over the 6*d.* they will be able to put up their charge, and take from the trader what Parliament gave to him last Session.

Mr. *Balfour Browne.*] I am not sure how far you are going into the question, whether you have not already ruled it out; but it is obvious that my learned friend is here for the Aire and Calder.

Mr. *Whitehead.*] Indeed, I am not.

Mr. *Balfour Browne.*] But he is now asking you to regulate the question of through tolls.

Mr. *Whitehead.*] No, no.

Mr. *Balfour Browne.*] He says what the Aire and Calder lost last year, and he takes as an illustration that 1*s.* 6*d.* reduced to 1*s.* will go into the pockets of the Calder and Hebble. From beginning to end you have refused to go into the question of through tolls at all, for this reason: that Parliament has already determined that the Railway Commissioners have power to determine through tolls, and whatever toll you give to the Calder and Hebble to day the Railway Commissioners can, either upon the application of the Aire and Calder or of a trader, reduce to-morrow and make the Calder and Hebble take less than their maximum. You remember that there were two through tolls proposals made by several people early in this matter, and they appear in every Schedule now; but you said you would not

not go into the question of through tolls at all. I ask you to say that this proposal of my learned friend is not in the interests of the traders but really in the interests of the Aire and Calder, who think to get a larger amount out of the tolls if you reduce the Calder and Hebble rate.

Mr. *Whitehead.*] I will undertake not to raise any question of through tolls at all.

Chairman.] What we have to deal with is Subsection 3 ?

Mr. *Whitehead.*] Yes. You have to deal with that traffic which will be affected by that clause in the Schedule.

Chairman.] That is proposed to be omitted ?

Mr. *Whitehead.*] Yes.

Chairman.] You ought to confine yourself to that.

Mr. *Whitehead.*] My learned friend has made a suggestion which is rather misleading. Let me inform the Committee what through tolls are. Through tolls are actual tolls. I do not know whether your Grace follows. I am not going to ask the Committee to decide anything about an actual toll, or an actual through toll. A through toll is a toll fixed either by agreement between the companies, or by the Railway Commissioners. That is outside the jurisdiction of this Committee, and I do not ask you to consider it at all. But remember this : the trader does not always want to go to the Railway Commissioners to get a through toll settled ; it is a very expensive process. I will not call it a through toll. If his traffic goes along a continuous route from one canal to another upon each part of the journey it is subject to the maximum power fixed for the particular companies. So far as the Calder and Hebble are concerned what I ask the Committee to consider is, what will be the effect, when the trader reaches the Calder and Hebble, of the maximum power placed in the Schedule, and what will be the effect to him when he reaches the Calder and Hebble of this bonus mileage clause ?

Chairman.] If you confine yourself to the bonus mileage clause, you will be all right.

Mr. *Whitehead.*] I hope I have done so up to the present time. Your Grace will see that the bonus mileage increases the power of the company to charge. That increased power applies to something like 80 or 90 per cent. of the traffic, and I say if you give them that increased power they will be able to put it in force, for the reasons I suggest to the Committee, and that that is borne out by their own action. What did they do when the Aire and Calder were before the Board of Trade? They opposed their claim for bonus mileage. So that the traffic, when it reaches their canal, and becomes subject to their maximum power of charge, will be still able to bear a very high place in proportion to the total toll. That is what they want. That is why they opposed the Corporation before the Board of Trade.

Mr. *Balfour Browne.*] That is why you oppose us now.

Mr. *Whitehead.*] Why were they before you when you were considering the Rochdale Canal? Why was the bulk of the opposition from the Calder and Hebble ?—Because the Rochdale Canal asked for a bonus mileage at the Sowerby Bridge end. The Calder and Hebble wanted that the traffic coming to them from the Rochdale Canal should come to them prepared to pay a high toll. So that I think the Committee may infer from these two facts that the Calder and Hebble are anxious to get increased powers of charge upon this kind of traffic, and when they get those powers they intend to put them in force. It now only remains for me to explain by means of witnesses what will be the actual effect upon the traffic, and what is the nature of the traffic passing along these reaches of the canal.

MR. FRANK IMPEY, is called in ; and, having been sworn, is examined, as follows :—

Mr. *Whitehead.*

4661. YOU are chartered accountant carrying on business in Birmingham, are you not ?—Yes.

4662. Do you act as accountant for the Mansion House Association ?—Yes.

4663. They instructed you to make certain calculations showing the effect of the proposed tolls in the Board of Trade Schedule upon the traffic ?—Yes

4664. And they also instructed you to work out in detail the effect of the Mansion House amendments ?—That is so, also.

4665. You have been very largely engaged in connection with railway and canal rates, and you are thoroughly familiar with the working of all the clauses and so forth ?—I have been engaged before the inquiries most of the time.

4666. Therefore, you are thoroughly familiar with the details, and are competent to understand the effect of the provisions ?—I believe so.

Mr. *Whitehead*—continued.

4667. What did you take as your bases of calculations ?—The Tables of calculations now put before the Committee.

4668. The first Table is marked Table A. ?—Yes.

4669. That Table is headed : "Summary of Traffic Exchanged with Aire and Calder Navigation" ?—That is so.

4670. I see the first page deals with the aggregate of details contained in the subsequent pages ?—That is so.

4671. You have dealt with the different Classes A., B., C., and so on ?—Yes.

4672. You have in the second column certain tonnages, under A., 135,568 tons ?—That is so.

4673. Where did you get that figure from ?—I took that figure from the Return put in by Mr. Swindells.

4674. He is the manager for the Calder and Hebble ?—Yes. At the inquiry before the Board of Trade.

4675. They

Mr. *Whitehead*—continued.

4675. They are the figures used before the Board of Trade by the companies themselves?—Yes.

4676. I will not take you into that first page for the moment, but will go into detail first. Take the next page, dealing with Class A. traffic, the first entry is half a mile?—Yes.

4677. Thirty-four thousand three hundred and fifty-one tons?—Yes.

4678. "Amount received," that is, received by the Calder and Hebble Navigation, 77*l.* 10*s.* 10*d.*?—That is on what they have been receiving on that traffic up to that date.

4679. That is a figure which they themselves placed before the Committee on a somewhat similar Table to that which you have worked out?—Yes, which is taken from the Table put in before the Board of Trade; their own Table.

4680. That is a figure given by the company themselves?—Yes.

4680. In the next column 71*l.* 11*s.* 4*d.* is the maximum as per Provisional Order Bill?—Yes, that is so.

4682. How did you arrive at that?—I took into consideration the bonus mileage proposed at the Fall Ing Lock which would make the half-mile into one mile. The bonus at that end will be converted from half a mile into a mile.

4683. Thirty-four thousand three hundred and fifty-one tons of Class A. traffic at 0·50*d.* for half a mile, or, as it is under the bonus clause, one mile, works out to 71*l.* 11*s.* 4*d.*?—Yes.

4684. The next column is headed "Maximum as per Mansion House Amendments"?—Yes.

4685. The Mansion House Association propose just half the distance; that is to say, they take the geographical distance instead of doubling it?—Yes; that is worked out upon the ordinay scale, without the bonus mileage being allowed.

4686. As to the next item, was that dealt with in the same way?—Exactly so.

4687. Up to two miles, up to three miles, up to six miles, and so on, all these entries are obtained in the same way, the actual amount received being taken from the figures which the companies themselves provided, and the figures in the other columns being the mere mechanical working out of the arithmetic tolls fixed in the Board of Trade Schedule?—Yes, that is so; a mere matter of calculation.

4688. As one might expect upon the short distances, the Mansion House Association Amendment will reduce their existing tolls?—It works out to show that.

4689. Then there is traffic going for 3¾ miles, inclusive?—Yes.

4690. When you come to 4¼ miles, there the Mansion House Amendment gave them 42 instead of 49?—Yes.

4691. From that point down to six miles the Mansion House Amendments more than cover their actual charges?—Yes.

4692. Now we come to the entry of over six miles and up to nine miles?—Yes. When I came to that I had to pursue a rather different course in working it out. Down to there I had the actual number of miles the traffic was carried. When I get to the next, the six miles to nine

Mr. *Whitehead*—continued.

miles, the nine miles to twelve miles, and so on further down, they give the traffic in groups, so many tons passed from distances six to nine miles, so many passed from nine to twelve miles, and so on.

4693. Let us take six to nine miles; some of that may have passed rather over six miles, some passed seven, some passed eight, and some passed nine miles?—Yes.

4694. And according to their Tables, you had no means of discovering how many of the 6,000 odd tons went any one of those particular distances?—No.

4695. And you had to find out what would be the actual distance traversed by each ton of the 6,000 odd tons?—No; I took their figures of what it came to in their calculation last year, including the bonus they then proposed, and I took off the difference between the bonus proposed by the Schedule as it now stands as in the case of the column coming under the Mansion House Amendments; I took the whole of that off.

4696. The figures in the toll columns fixed by the Board of Trade are precisely the figures which the company themselves suggested last year before the Board of Trade?—Yes.

Mr. *Balfour Browne.*

4697. No, the Board of Trade reduced our figures very much?—Leaving out the question of bonus, the ordinary mileage I speak of.

Mr. *Whitehead,*

4698. The toll columns are precisely the same in the Schedule as the company asked before the Board of Trade?—Yes.

4699. The Mansion House Association also do not ask any difference in the toll column?—No.

4700. Therefore, in each case, as regards the company's original proposals, the Board of Trade maxima and the Mansion House maxima and the rate per ton per mile is precisely the same?—Exactly.

4701. You took, I understand, the figures which the company themselves worked out and gave to the Board of Trade as representing their maximum under their own proposal?—Yes.

4702. Under their own proposals, whilst the toll remains the same they ask for more bonus mileage than the Board of Trade has given them?—Yes.

4703. How much more?—Let us take traffic going six to nine miles on Class A., I found that I had to deduct one and an eighth miles in respect of the difference in the boats.

4704. When they were before the Board of Trade they asked not for two miles extra bonus at the Wakefield end, but for three and an eighth miles?—Yes.

4705. You calculated what the difference would be of deducting that one and an eighth mile in respect of 6,000 tons in Class A.?—Yes, the toll proposed for Class A. I have deducted one and an eighth miles, the tolls proposed in the Provisional Order, from the amount the company made it come to, when they included that bonus of three and an eighth miles, whereas the Provisional Order only included two

 miles

Mr. *Whitehead*—continued.

miles, I took three miles from three and an eighth miles. I have taken that from the figures the company calculated themselves in reckoning the bonus at three and an eighth miles.

4706. You arrived at the figures of 184*l.* 16*s.* 4*d.* in that way?—Yes.

4707. By the simple method of deducting the whole of the bonus mileage that they originally asked, namely, three and an eighth miles, you get the figure of 109*l.* 1*s.* 11*d.*?—Yes.

4708. The same principle applies to the subsequent figures?—Yes, till we get where they give the distance in actual mileage.

4709. On the Dewsbury Cut, the Huddersfield Canal, and the Rochdale Canal, there you work out the absolute traffic for every mile?—Yes.

Chairman.] Where you take the maxima of the Mansion House, was not that the same?

Mr. *Whitehead.*] That was on distances between 15 and 18 miles.

Mr. *Balfour Browne.*] You have taken off the bonus mileage, it comes to more than we propose ourselves.

Mr. *Whitehead.*] More than you are actually receiving.

Witness.] That is because the scale proposed by the Board of Trade works out to those figures.

Chairman.

4710. No, not the Board of Trade?—The Board of Trade figures, less the bonus, work out to that.

4711. The heading of that is "Maximum as per Mansion House Amendments"?—"Maximum as per Mansion House Amendments." They are the tolls set out in the Schedule less any allowance for bonus mileage. It is as if it was a Table utterly irrespective of any bonus.

Mr. *Whitehead.*

4712. Take the figure of 230*l.*, your existing receipts, the maximum which the Mansion House propose would be 333*l.*?—That is so.

4713. So that even if our amendment were carried upon the traffic passing for distances more than four miles they would get a margin over their existing receipts?—A considerable margin.

4714. In some cases a very considerable margin?—Yes.

Sir *William Houldsworth.*] That is, if they charge up to their maximum as compared with actual receipts.

Mr. *Whitehead.*] I do not think this gentleman can answer that question, he is only an accountant.

Sir *William Houldsworth.*] That is so.

Chairman.] Their maximum power would be 333*l.* as against the amount received, 230*l.*

Mr. *Whitehead.*] That is so; and it is to that point that the whole of the figures are directed, a comparison of actual receipts with the possible receipts under the two proposals, the one of the Bill as it stands, and the other the Mansion House proposal under their amendment.

Mr. *Balfour Browne.*] I do not want to curtail you, but the Committee understand the Table, and all the rest follows.

Mr. *Whitehead.*

4715. Now turn to the summary upon the top of page 1, that shows upon Class A. that the Mansion House amendments give them a large margin?—Yes.

4716. And upon Class B.?—The same; a large margin.

4717. And upon Class C.?—Yes.

4718. In fact upon every class?—Upon every class, a very large margin.

4719. In the total upon these calculations you arrive at the figure, as put before the Committee, 10,584*l.* actual receipts, maximum under the Board of Trade proposals, 14,425*l.*, and the maximum, if the Committee accept our amendment, 12,674*l.*?—Yes.

Sir *Richard Paget.*] All these figures apply only to your interchange with the Aire and Calder.

Mr. *Whitehead.*

4720. Yes (to the *Witness*).] Do you take anything with regard to your interchange with the Rochdale?—No; we have no Table put in as to that.

Mr. *Whitehead.*] The only Table that the company put in before the Board of Trade giving the detail from which we could work it out, referred to 90 per cent. of their traffic leaving or entering their navigation from Fall Ing Lock. These are figures that the company themselves put in.

Mr. *Spicer.*] We have been already informed that the Calder and Hebble have no arrangement with the Aire and Calder for through traffic.

Mr. *Balfour Browne.*] It is 40,000 tons in the year.

Mr. *Whitehead.*] It is something small in comparison with what you see here.

Sir *Richard Paget.*] I want to know why you separate the Table dealing with the exchange traffic only at one end.

Mr. *Whitehead.*] The only Table we had was this one.

[*The following Tables are delivered in.*]

Class A.

Calder and Hebble Navigation.

Toll Traffic, Year 1890.

Summary of Traffic exchanged with Aire and Calder Navigation.

Class.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d	£. s. d.
A. - - - - -	135,568	1,731 16 5	2,447 5 4	2,046 12 3
B. - - - - -	38,964	824 17 6	1,363 9 11	1,242 6 1
C. - - - - -	193,671	6,833 11 5	8,864 18 1	7,912 15 9
1 - - - - -	27,945	734 16 5	1,100 18 6	899 8 9
2 to 5 - - - -	11,056	459 5 9	649 3 10	573 15 -
	407,204	10,584 7 6	14,425 15 8	12,674 17 10
			Increase equal to 36 %	Increase equal to 20 %

Traffic exchanged with Aire and Calder Navigation.

Stages.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d.	£. s. d.
½ mile - -	34,351	77 10 10	71 11 4	35 15 8
1½ „ - -	19,284½	138 11 4	120 10 7	60 5 3
2 „ - -	75	- 6 3	- 12 6	- 6 3
Up to 3 „ inclusive	53,710½	216 8 5	192 14 5	96 7 2
3½ „ - -	744	12 8 -	8 10 6	5 8 6
3¾ „ - -	15,728	133 2 4	188 1 8	122 11 -
4¼ „ - -	4,796½	39 18 8	62 7 2	42 7 5
5¼ „ - -	4,173	39 7 3	62 18 11	45 11 2
5¾ „ - -	60	- 10 -	- 19 5	- 14 4
6 „ - -	87	- 14 6	1 9 -	1 1 9
Up to 6 „ inclusive	79,299	442 9 2	517 1 1	314 1 4
Over 6 miles and up to 9 „ „	6,173	105 2 10	134 16 4	109 1 11
„ 9 „ „ „ 12 „ „	811½	12 8 9	19 8 10	16 8 8
„ 12 „ „ „ 15 „ „	574½	11 8 8	17 5 4	15 2 9
„ 15 „ „ „ 18 „ „	10,705	230 11 9	373 8 2	333 14 2
„ 18 „ „ the remainder of distance - - -	18,398	518 5 6	782 - 2	725 7 1
	115,961½	1,320 6 8	1,843 19 11	1,513 15 11
Dewsbury Old Cut, 7¼ miles - -	1,672½	21 13 10	32 3 11	25 4 7
Huddersfield Canal, 13 „ - -	15,679	330 16 2	473 12 9	414 17 -
Rochdale Canal 21½ „ - -	2,255	58 19 9	97 8 9	92 14 9
Total - - -	135,568	1,731 16 5	2,447 5 4	2,046 12 3

Class B.

Calder and Hebble Navigation.

Toll Traffic, Year 1890.

Traffic exchanged with Aire and Calder Navigation.

Stages.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d.	£. s. d.
½ mile - -	86	– 5 5	– 3 7	– 1 10
1½ miles - -	815¾	4 7 2	5 2 –	2 11 –
Up to 3 „ inclusive	901¾	4 12 7	5 5 7	2 12 10
3¾ miles - -	434½	6 – 3	5 4 –	3 7 9
5¼ „ - -	221½	2 8 7	3 6 10	2 8 5
6 „ - -	264	3 6 1	4 8 –	3 6 –
Up to 6 „ inclusive	1,821¾	16 7 6	18 4 5	11 15 –
Over 6 miles, and up to 9 „ „	4,873¾	61 19 1	100 2 10	79 16 9
„ 9 „ „ 12 „ „	177½	3 19 6	4 12 2	3 19 –
„ 12 „ „ 15 „ „	—	—	—	—
„ 15 „ „ 18 „ „	14,876	330 10 6	522 12 9	467 9 6
„ 18 „ remainder of distance	3,050½	134 16 1	127 8 9	120 17 2
	24,799½	547 12 8	773 – 11	683 17 5
Dewsbury, Old Cut, 7¼ miles - -	262¼	3 18 10	5 1 –	3 19 2
Huddersfield Canal, 13 „ - -	1,176¾	32 4 10	35 11 –	31 2 9
Rochdale „ 21½ „ - -	12,725½	241 1 2	549 17 –	523 6 9
Total - - - £.	38,964	824 17 6	1,363 9 11	1,242 6 1

Class C.

Calder and Hebble Navigation.

Toll Traffic, Year 1890.

Traffic exchanged with Aire and Calder Navigation.

Stages.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d.	£. s. d.
½ mile - -	37,190¾	116 6 4	131 14 5	65 1 9
1½ miles - -	4,352	18 8 6	46 4 10	23 – 8
Up to 3 „ inclusive	41,542¾	134 14 10	177 19 3	88 2 5
3½ „ - -	¼	– – 1	– – 1	– – 1
3¾ „ - -	186	2 10 8	3 15 8	2 9 4
5¼ „ - -	196	2 5 7	5 – 8	3 12 11
6 „ -	9¾	– 4 10	– 5 7	– 4 2
Up to 6 „ inclusive	41,934¾	139 16 –	187 1 3	94 8 11
Over 6 miles, and up to 9 „ „	9,773¾	252 10 2	357 15 4	288 18 11
„ 9 „ „ 12 „ „	4,704¼	146 16 11	193 5 5	167 15 11
„ 12 „ „ 15 „ „	7,844½	302 13 7	379 6 8	336 16 11
„ 15 „ „ 18 „ „	9,398½	428 17 10	523 17 1	472 18 11
„ 18 „ the remainder of distance	68,056½	3,672 3 1	4,540 10 10	4,151 16 4
	141,712¼	4,942 17 7	6,181 16 7	5,512 15 11
Dewsbury, Old Cut, 7¼ miles - -	6,758¾	156 10 8	221 7 –	173 9 6
Huddersfield Canal 13 „ - -	33,650	1,220 4 5	1,647 9 –	1,465 3 7
Rochdale „ 21½ „ - -	11,550	513 18 9	814 5 6	761 6 9
Total - - - £.	193,671	6,833 11 5	8,864 18 1	7,912 15 9

Class 1.

Calder and Hebble Navigation.

Toll Traffic, Year 1890.

Traffic exchanged with Aire and Calder Navigation.

Stages.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d.	£. s. d.
½ mile - -	449	1 8 1	1 17 5	– 18 9
1½ „ - -	7,119	48 8 5	88 19 9	44 9 11
Up to 3 „ inclusive	7,568	49 16 6	90 17 2	45 8 8
3¾ „ - -	1,854	28 14 2	44 8 5	28 19 5
5¼ „ - -	790	15 4 6	23 17 4	17 5
Up to 6 „ inclusive	10,212	93 15 2	159 2 11	91 13 9
Over 6 miles and up to 9 „ „	950	27 19 8	41 8 –	33 10 1
„ 9 „ „ „ 12 „ „	419	12 15 3	19 15 1	17 2 8
„ 12 „ „ „ 15 „ „	1	– – 11	– 1 2	– 1 –
„ 15 „ „ „ 18 „ „	131	6 10 3	8 10 6	7 14 2
„ 18 „ „ the remainder of distance - - -	2,510	180 8 4	198 19 9	178 4 8
	14,223	321 9 7	427 17 5	328 6 4
Dewsbury Old Cut, 7¼ miles - -	9,242¾	197 4 7	356 4 8	279 4 2
Huddersfield Canal, 13 „ - -	2,009¾	79 11 5	115 2 10	102 11 8
Rochdale Canal, 21½ „ - -	2,469½	136 10 10	201 13 7	189 6 7
Total - - - £.	27,945	734 16 5	1,100 18 6	899 8 9

CLASSES 2 TO 5.

CALDER AND HEBBLE NAVIGATION.

Toll Traffic, Year 1890.

TRAFFIC exchanged with AIRE AND CALDER NAVIGATION.

STAGES.	Tons.	Amount Received.	Maximum as per Provisional Order Bill.	Maximum as per Mansion House Amendments.
		£. s. d.	£. s. d.	£. s. d.
½ mile - -	61¾	– 4 –	– 5 2	– 2 7
1½ miles - -	39½	– 6 11	– 9 11	– 5 –
Up to 3 „ inclusive	101¼	– 10 11	– 15 1	– 7 7
3¾ „ - -	48¼	– 9 6	1 3 2	– 15 1
6 „ - -	147½	2 15 5	4 18 4	3 13 9
Up to 6 „ inclusive	297	3 15 10	6 16 7	4 16 5
Over 6 miles and up to 9 „ „	1,441¾	45 11 7	62 17 9	50 18 1
„ 9 „ „ „ 12 „ „	50¾	1 15 9	2 11 10	2 5 7
„ 12 „ „ „ 15 „ - -	3¼	– 4 4	– 4 3	– 3 11
„ 15 „ „ „ 18 „ - -	42¾	2 3 10	2 15 8	2 10 4
„ 18 „ „ the remainder of the distance - -	828¾	53 13 4	64 16 –	57 18 11
	2,664¾	107 4 8	140 2 1	118 13 3
Dewsbury Old Cut, 7¼ miles - -	2,682	59 17 7	103 7 5	81 – 5
Huddersfield Canal, 13 „ - -	2,483¾	99 1 5	142 6 –	126 15 6
Rochdale „ 21½ „ - -	3,225½	193 2 1	263 8 4	247 5 10
TOTAL - - - £.	11,056	459 5 9	649 3 10	573 15 –

Cross-examined by Mr. *Balfour Browne.*

4721. That was not the only reason?—So far as I am concerned, it was the only reason; I could find no other figure enabling me to build up anything on it.

4722. There were other figures; do you see that this Table is headed, "Traffic exchanged with Aire and Calder Navigation"?—Yes.

4723. Was not that one of the reasons?—I do not know.

4724. Did you not see the statement made with reference to the charges for local traffic; was that put in before the Board of Trade?—It has not been submitted to me by the Mansion House Association.

4725. Is this important, that the Committee should know that that statement was laid before the Board of Trade, which showed a reduction of our charging power by 20 per cent.?—On local traffic?

4726. On local traffic?—I do not know. My impression is that there is very little local traffic.

Chairman.

4727. It is not a question of whether there is little or much local traffic?—I may say I have not seen the Table.

Mr. *Balfour Browne.*

4728. If you take it from me that one-fourth of the whole traffic is local, and we showed to the Board of Trade a reduction of our charging power of 20 per cent., is it not fair that that should be taken in connection with that Table?—Where your charging powers the maxima, but your charging powers were far above what you charged.

4729. I put actually charged. Suppose there was a reduction of 20 per cent. on the actual charges under the Board of Trade Schedule, ought not that to be taken in conjunction with this?—I think consideration should have to be given to it.

4730. Now, as to the 90 per cent., first let me understand about the Table. I take the same page that my learned friend Mr. Whitehead dealt

Mr. *Balfour Browne*—continued.

deals with. Take the 18,000 tons carried the remainder of the distance; do you see that?—Yes.

4731. Does that include the bonus on the Halifax Branch?—It does.

4732. Of course, you, as an accountant, do not know whether any one of these amounts could be obtained; take one illustration. Take the distance over 18 miles. You say the Mansion House proposal would give us 725*l.*, where we are at present getting 518*l.*?—Yes.

4733. Suppose we only get 518*l.* at the outside to keep the traffic, should not the difference between those two figures be set against the loss made higher up?—I cannot express any opinion upon that.

4734. That is a practical question; if we cannot get more than 518*l.*, the mere summation at the foot of the column headed "Mansion House Amendments," of 2,046*l.* as against 1,731*l.*, the amount we received, is no guidance at all?—No, assuming what you say.

4735. Further than that, are you aware that on local traffic we would have an absolute power to charge the maximum allowed by the Board of Trade. Suppose the Board of Trade Schedule passes, we would have power to charge 2,447*l.* if it were local traffic?—Yes.

4736. That is to say, if it were local traffic simply. Are you aware that as this is interchange traffic the Aire and Calder could propose tolls that would bring down our receipts under the 1,731*l.*?—You mean by the intervention of the Railway Commissioners?

4737. Yes?—Yes.

4738. All this traffic is just the traffic that the Railway Commissioners could deal with?—Yes.

4739. Therefore, it is of less importance to protect the public against exchange traffic charges than it is against tolls for local traffic?—Yes, but the trader will like to take this opportunity of getting protection.

4740. Curiously enough you, not appearing for traders, never thought it worth while to look at the local tolls?—I only did what I was instructed to do.

Re-examined by Mr. *Whitehead.*

4741. If a trader, either a bye-trader or an ordinary trader, has traffic entering this navigation from the Aire and Calder, he will become subject to the charges fixed in this Schedule?—Yes.

4742. My learned friend suggested that he might incur the expense of going before the Railway Commissioners to get a through-toll?—Yes.

4743. And in that case my learned friend suggested that the Commissioners would fix 1,731*l.* on that Class A.?—Yes.

4744. The Commissioners, on the other hand, might fix something quite different?—Certainly.

4745. When the Commissioners fix a through-toll they are entitled to take into consideration all the circumstances of the case?—I believe so.

4746. And if the Committee fix a bonus mileage, that will be a circumstance which the Commissioners would take into consideration in favour of the company when they came to decide the through-rate?—I should imagine so.

4747. Whereas, if Parliament rejected this bonus mileage, then the Commissioners would still be able to fix what was just and reasonable, but not any fictitious mileage?—That would be so, I take it.

The Witness is directed to withdraw.

MR. WILLIAM MELLOR is called in; and, having been sworn, is Examined as follows:

Mr. *Whitehead.*

4748. YOU are a partner in the firm of Henry Mellor and Sons, boatowners and canal carriers, at Brighouse in Yorkshire?—Yes.

4749. Brighouse is on the Calder and Hebble?—Yes.

4750. It is about 15 miles and a-half from the Wakefield end of that navigation?—Yes.

4751. You are carriers, I believe, on this navigation?—Yes.

4752. And have been for a very long time?—Our firm have been carriers about 80 years.

4753. About what quantity of traffic do you carry at the present time?—About 25,000 tons per annum.

4754. In what classes, chiefly?—Chiefly in Class C.

4755. Grain?—Grain and wheat, and then we carry wire and stone and other goods.

4756. The bulk of your trade is grain in Class C.?—Yes.

4757. Where does that grain come from?—From foreign parts, and we load it in Hull.

4758. It comes by ship to Hull?—Yes.

Mr. *Whitehead*—continued.

4759. There do you take charge of it?—There we take charge of it.

4760. And bring it along the Humber to Goole?—Yes.

4761. From Goole up to Wakefield you take it along the Aire and Calder?—Yes.

4762. And thus you enter the Calder and Hebble at Wakefield?—Yes.

4763. By Fall Ing Lock?—Yes.

4764. And you carry on the grain to where?—Brighouse.

4765. That is where your premises are?—Yes.

4766. Fifteen and a-half miles along the navigation?—Yes.

4767. Therefore you would become subject to this bonus mileage charge at the Wakefield end?—Yes.

4768. At the Wakefield end these last two miles would become chargeable as four miles?—Yes.

4769. That would change your distance, 15½ miles, to 17½ miles?—Yes.

4770. Have

Mr. *Whitehead*—continued.

4770. Have you worked out what is the existing charge made to you on grain by the Calder and Hebble Navigation from Wakefield up to Brighouse?—Elevenpence a ton.

Mr. *Balfour Browne.*] The Witness cannot know that; he pays his toll end to end.

Witness.] I know it.

Mr. *Whitehead.*

4771. To whom do you pay that 11*d.* a ton?—The 11*d.* a ton is paid to the Aire and Calder at a place called Castleford, the through toll has been 3*s.* 1*d.* up to this time.

4772. A through toll from where to where?—From Goole to Brighouse.

4773. That has been 3*s.* 1*d.*?—Yes.

4774. How do you get the 11*d.*?—We have to tranship every now and then from one boat to another; when we have had about 60 quarters left we have handed it over to the Aire and Calder to carry forward, and they have charged us the freight less the dues which we have paid on the Calder and Hebble. That is how I come at it.

Mr. *Balfour Browne.*] That only proves that you got a certain amount from the Aire and Calder.

Mr. *Whitehead.*

4775. Your boat-load comes up from Goole?—From Hull, it passes through Goole.

4776. It passes through Goole in a large barge?—In a barge made specially for the traffic up to Brighouse.

4777. That cannot be so large a boat as passes along the Aire and Calder, and can go up as far as the Figure 3 Lock?—No.

4778. What quantity can you carry in those boats as far as Brighouse?—We can carry 60 tons.

4779. What do you pay to the Aire and Calder?—3*s.* 1*d.*

4780. That is when you get to Castleford?—Yes.

4781. That is for the whole journey from Goole to Brighouse?—Yes.

4782. You pay that to the Aire and Calder?—Yes.

4783. How do you get at the 11*d.*, which you mention as being the charge upon the Calder and Hebble?—When we have about 60 quarters left which we do not want to send a boat for from Brighouse to Wakefield, we have handed it over to the Aire and Calder to carry forward, and they have charged us the freight, less the Calder and Hebble dues, which we have paid at Castleford.

4784. In that way you get at the 11*d.*?—Yes.

4785. What would be the charge under the Schedule fixed by the Board of trade?—By the Schedule fixed by the Board of Trade it would be 13·37*d.*; that is with this bonus mileage.

4786. Ten miles at ·85 for Class C.?—And 7½ miles at ·65.

4787. Making 13·37*d.*?—Yes.

Sir *William Houldsworth.*] As I understand, the 11*d.* includes the freight on the Calder and Hebble. He says in certain cases he gets the Aire and Calder to bring up part of his cargo, and he knows it is 3*s.* 1*d.* all the way; and then they give him credit for the other part; that includes freight, it appears.

Mr. *Whitehead.*

4788. I will ask him that; I understand you pay to the Aire and Calder 3*s.* 1*d.*?—Yes.

4789. That is for the through toll?—Yes.

4790. When carrying for yourselves?—Yes.

4791. But when you have got a certain amount over you hand that to the Aire and Calder as carriers?—Yes.

4792. When you do that they charge you a certain sum?—Yes, for carrying.

4793. They deduct from that a certain toll which you have paid to the Calder and Hebble?—We have paid it to the Aire and Calder; it has been paid for the through toll at Castleford, we have paid it up to Brighouse.

Sir *William Houldsworth.*] The 3*s.* 1*d.* includes the toll up to Brighouse.

Mr. *Whitehead.*

4794. It is a double transaction, he wants it to go on the toll system and he pays toll on it; when there is some over he says to the Aire and Calder, You must take this, and they deduct from their freightage charge what he has already paid them in respect of toll for the Calder and Hebble part of the journey, and that sum he says is 11*d.* (To the *Witness*). That is what the Aire and Calder tell you they are paying upon the Calder and Hebble for that?—Yes.

4795. What would be the maximum under the Mansion House Amendment?—It would be 10 miles at ·85 and five and a-half miles instead of seven and a-half miles.

4796. Making altogether?—12·7*d.*

4797. One penny more than you say is the actual toll of 11*d.*?—Yes.

Cross-examed by Mr. *Balfour Browne.*

4798. Who worked out these decimals for you?—I have them here.

4799. I want to know who worked them out for you?—Mr. Hunt gave me the figures.

4800. They are not your figures?—No.

4801. As a fact the traffic you are interested in you take at Hull and carry up to Brighouse?—Yes.

4802. Is it not the fact that on the notes it is always treated as one sum for toll from Hull to Brighouse?—Yes.

4803. As a fact your toll from Hull to Brighouse is 3*s.* 1*d.* at the present time?—Yes.

4804. Do you know how much traffic you carried in the year 1892, was it 6,324 tons?—I cannot say what we carried in that year.

4805. Hull and Goole, you sometimes carry from Goole?—Sometimes from Goole.

4806. Will you take it from me that your traffic for that year was 6,324 tons, perhaps you will take that figure from me as you have the others from Mr. Hunt?—What do you mean?

4807. That 6,324 tons at 37*d.*, which is 3*s.* 1*d.*, comes to 974*l.* 19*s.* 9*d.*?—Yes.

4808. You

Mr. *Balfour Browne*—continued.

4808. You object to this Schedule, because you think that would be raised, you would have to pay more, is that the idea?—What I want to pay is the same as I am paying at present from Wakefield.

4809. I am speaking of Hull and Goole, if you do not pay more in the future than you are paying at present, will you be satisfied?—No, I shall not.

Mr. *Whitehead.*] Are you dealing with the through toll?

Mr. *Balfour Browne.*

4810. Yes (to the *Witness*).] Do you know that instead of paying 3*s.* 1*d.*, the two tolls if we charged our maximum would only amount to 2*s.* 11*d.* in future, bonus and all?—If the bonus is not charged us what would it amount to then?

4811. Do you know one thing more, that instead of paying 974*l.* 19*s.* 9*d.* you would only pay 924*l.* 18*s.* 5*d.* Should not that satisfy you, a reduction of 50*l.* 1*s.* 4*d.*?—I thought we were dealing with the tolls from Wakefield to Brighouse, that is what I am dealing with.

4812. What you pay is 3*s.* 1*d.*?—What I pay is 3*s.* 1*d.*

4813. That is what we are dealing with?—Yes.

Re-examined by Mr. *Whitehead.*

4814. Have you made yourself in any way familiar with the charges authorised for the Aire and Calder last year?—I have nothing to do with the Aire and Calder.

4815. If it is the fact that Parliament last year reduced the power of the Aire and Calder would you desire that what they gave the traders on the Aire and Calder should now be transferred to the Calder and Hebble?—No, I know nothing about the Aire and Calder.

Ordered, That this Committee be Adjourned to To-morrow at Eleven o'clock.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 2) BILL

(Bridgewater, &c., Canals.)

Trent Navigation.

Mr. *Whitehead.*] Your Grace. I think we left off at page 21 of the Order, at the foot of Scale 2, to insert the following new Clause: "Provided that notwithstanding anything in the above scale, the maximum toll for merchandise passing down the navigation from Dunham Shoal to Gainsborough, or any portion of such distance, shall not exceed the sum of one shilling per boatload." The reason why we wish to get this special provision with regard to that reach upon the Trent Navigation, is this, that that is a natural waterway and it is tidal—all that reach from Dunham Shoal which is marked in green letters is about 14 miles from Gainsborough. It is tidal water and boats go up and come down with the tide. I want your Grace to consider what the effect of the Schedule will be upon that traffic, remembering always that it does not use any water or exhaust the supply of water of that navigation at all, it merely uses the tide as it goes up the river and as it goes down. In the second scale of the Schedule your Grace will see that there is a charge authorised of 0·75*d.* per ton for the whole distance for each ton. Now the distance is 14 miles, and your Grace will see that if a boat is laden with about 50 tons, which Mr. Fellowes mentioned as being a fairly typical load, that charge being per ton, will amount to something over 3*s.* The existing statutory charge upon that traffic, which was fixed so late as the year 1858, is only 1*s.* per boatload, and the effect is this: that upon all that traffic the statutory toll, which was fixed in consideration of the very peculiar circumstances that no water is lost, and that it is a natural waterway, is raised by the figures of the Board of Trade up to between 3*s.* and 4*s.*; it is certainly doubled and, I think, trebled by the figures of the Board of Trade. If your Grace will refer to Class 2 you will see, as was pointed out by my learned friend Mr. Coward, when opening the case, that there is a junction just above that reach, or about that reach, between the canal running into Lincolnshire and this Trent Navigation, and my learned friend said, referring to Foss Dyke, that all traffic coming in there from Lincoln and that district would be subject to this increased charge. It is an accepted position with regard to this Inquiry, that except some good cause can be shown for this increased maximum the Committee will not allow it; and I think, having placed the matter there, it will be sufficient for me to call a witness to explain what the nature of the traffic is coming down the river, and to what extent this increased power would apply to the traffic from Lincoln.

Sir *William Houldsworth.*] Is your proviso to take the place of the maximum tolls in the Schedule of 0·75*d.*, because that Scale II. is applicable to a portion of the navigation below Dunham Bridge; I suppose Dunham Shoal and Dunham Bridge are the same?

Mr. *Pelham.*] It is not so. What Mr. Whitehead has been saying is wrong. The portions on which

which the 0·75*d.* is charged are above the junction of the Foss Dyke.

Mr. *Whitehead.*] It does not affect the accuracy of what I stated, that upon all traffic coming down from Lincoln, coming in upon the tidal water, this increased power would apply.

Sir *William Houldsworth.*] I want to understand whether the Board of Trade suggesting 0·75*d.* per ton for this distance, your proviso would take the place of that?

Mr. *Whitehead.*] For the down traffic, yes; all the traffic coming up and down. This proviso to which I allude and the proviso in the old Act of Parliament applies merely to the down traffic.

Sir *William Houldsworth.*] It would take the place of the Schedule with regard to down traffic?

Mr. *Whitehead.*] Yes, merely using this tidal portion.

Mr. WILLIAM RAINFORTH is called in, and having been sworn; is Examined, as follows:

Mr. *Whitehead.*

4816. You are a Member of the firm of William Rainforth and Son, bye-traders and agricultural engineers, at Lincoln?—That is so.

4817. I believe the question of canal tolls has been the subject of discussion in the Lincoln Chamber of Commerce, and you have been deputed by them to represent their interests here?—I have.

4818. And I believe it has also been considered by the Corporation of Lincoln?—It has been considered by the Corporation of Lincoln and by the Lindsey County Council.

4819. And you really represent those three bodies at this inquiry?—I was deputed to do so.

4820. You have a large traffic passing down this stream, the Foss Dyke, from Lincoln and into the Trent Navigation upon this tidal portion?—We have.

4821. About what volume of traffic do you send over that reach in the course of the year?—I do not know the actual amount, but I think the total is about 20,000 tons, up and down.

4822. Cannot you distinguish between the traffic which comes up and the traffic which goes down?—I have not taken it out.

Chairman.] What traffic is this gentleman interested in?

Mr. *Whitehead.*] Traffic passing over this tidal reach, some coming up from Gainsborough towards Lincoln, and some going down towards Gainsborough from Lincoln.

4823. You are bye-traders?—Yes, we carry all kinds.

4824. You carry your own traffic?—Yes.

4825. And also that of others?—Yes.

4826. You are carriers?—Yes.

4827. Your own business, in addition to that, being that of agricultural engineers?—That is so.

4828. What articles do you carry?—Linseed, cotton seed, bone-ash, and various articles used in the manufacture of manure, and timber also.

4829. There are no distinction of classes, practically, so far as toll is concerned, fixed by the Board of Trade on that reach?—No.

4830. So that, so far as the toll is concerned, it is immaterial what class it may happen to be in?—Yes.

4831. The traffic passing down is export traffic, I may take it?—It is generally the refuse from the manufactories; the bye-products from the various manufactories, such as pitch and ashes from manure manufactories; and they

Mr. *Whitehead*—continued.

get copper ore up, and burn it, and the refuse is sent down. This is sent at a very low rate, so that any increase may destroy the traffic altogether.

4832. It is an inexpensive article in itself, and cannot bear a high toll?—No.

4833. When this matter was before Parliament in 1858, that fact with regard to that kind of traffic was recognised by Parliament, was it not?—Yes.

4834. And they fixed 1*s.* as the maximum for the traffic?—Yes, and the company do nothing whatever for it. We go down with the tide, and they are at no expense; therefore the 1*s.* is an ample recognition of their rights as a waterway.

Sir *William Houldsworth.*

4835. A shilling a boatload?—Yes, they are put to no expense whatever. They provide us with nothing. Nature provides us with the water, and they do not. That is why we consider the shilling an ample recognition.

Mr. *Whitehead.*

4836. You have dealt with the downward traffic up to now; you also have traffic going up?—Considerable quantity.

4837. Upon that traffic I believe the Board of Trade Schedule will give you some advantage; that is to say there will be a reduction in your existing maximum tolls?—Yes; but it will be several years before we get any actual benefit from it.

4838. Will you explain that; I do not follow you?—Up to within five years ago we used to pay seven-eighths of a penny per ton.

4839. That is on the up traffic?—Yes. At that time the company raised what was then the maximum toll, of seven-eighths of a penny to a penny per ton; we protested against it, but thought it was not worth fighting; and we paid under protest. If the toll is reduced to three farthings a ton, it would take five years before it rubs off what we have been paying over and above what we ought to have paid.

4840. Up to five years ago you paid seven-eighths of a penny?—Yes.

Chairman.

4841. The witness wants to be recouped what he ought not to have paid?—Yes.

Mr. *Whitehead.*

4842. Up to five years ago the charge on this navigation

Mr *Whitehead*—continued.

navigation for upward traffic had been seven-eighths of a penny per ton?—Yes.

4843. That is 0·875*d.*?—Yes.

4844. Therefore, upon that old toll the Board of Trade will give a slight reduction?—They will give one-eighth of a penny.

4845. Five years ago the company raised the toll to 1*d.*?—Yes, in spite of an understanding that we had with them that it was not to be raised. Seven years ago, when they proposed their Bill, we had a meeting at Lincoln of the Lincoln Corporation, and the various bodies interested. The Chairman of the Trent Navigation Company attended, and after a lengthened discussion they agreed that if the Lincoln Corporation would support their Bill in Parliament, they would not raise our tolls. In spite of that, in two years they actually raised them one-eighth of a penny; and we have been since paying during those five years that one-eighth of a penny over and above the agreement. So that I contend that for the next five years we shall not benefit by this reduction.

4846. For five years you paid the extra one-eighth of a penny under protest knowing that this canal inquiry was coming on?—Anticipating it.

Chairman.

4847. Was that agreement in writing?—It was a verbal one; they do not deny the agreement.

4848. Was it an agreement upon which you could act?—No.

4849. Could you enforce it?—No. The chairman of the Trent Navigation Company attended this meeting, and gave us a verbal assurance that it should not be raised.

4850. There was no agreement in writing?—There was no agreement in writing. I believe there was a letter, but I have not it with me; it is in the hands of the Lincoln Corporation. I brought it with me when I appeared before the Honourable Mr. Pelham. This letter was from the solicitors of the Trent Navigation Company approving or sanctioning the verbal arrangement made by the chairman of the Trent Navigation Company.

4851. Why did you not take steps to enforce it?—We thought it was not worth while; we thought it would lead to a lot of expense, and as this Inquiry was coming on, we thought we would leave it.

Mr. *Whitehead.*

4852. I take it that you think the toll of a penny which they now charge is too much?—We do.

4853. You have paid it, and paid it under protest?—Yes.

4854. Now you come to Parliament, and ask Parliament, so far as that upward traffic is concerned, to reduce the powers of the company, and accept the figures of the Board of Trade?—Yes, three-farthings.

4855. As regards downward traffic, you say, preserve the existing toll of 1*s.*?—That is so.

Chairman.

4856. Let me quite understand it. You do not object to the 0·75*d.* for the upward traffic?—No.

Mr. *Whitehead.*] But, so far as the down traffic is concerned, we ask the Committee to preserve the proviso of the Act of 1858, which reduced the toll charged to 1*s.* a boat-load.

Chairman.] That is on the down traffic?

Mr. *Whitehead.*] Yes.

Chairman.] On the up-traffic you take 0·75*d.*?

Mr. *Whitehead.*] Yes; by adding the proviso we deal with the down traffic.

Cross-examined by Mr. *Lewis Coward.*

4857. I am afraid you have not told us all yet. Let us clear up one matter about the breach of faith. You brought this up before Mr. Pelham?—Yes.

4858. All that the company undertook to do was that, by the Bill of 1877, they would not seek power below Gainsborough, and not propose alterations in the tolls above Gainsborough?—We thought the agreement was to apply for all time, of course. They say, if a new Bill is brought forward, they are at liberty to propose an alteration; but we contest that.

Chairman] It will be better to put in the letter in order to see what the agreement was.

Mr. *Lewis Coward.*

4859. I was not before the Commissioner. I will read the letter: "Dear sir" (that is a letter addressed to the Town Clerk of Lincoln from Messrs. Hollams, Sons, and Coward, the solicitors instructing me)—"Trent Navigation Bill—We have delayed writing to you, hoping to be able to send you a copy of the filled up Bill; but, for reasons which you will doubtless readily understand, there has been delay in completing it, for changes had continually to be made, consequent upon the introduction of clauses for the protection of petitioners and otherwise as to matters not affecting the general principle of the Bill. As to that the only material change is the omission of Clauses 30 and 33. Thus the Bill will seek no powers below Gainsborough, and will not propose any alteration in tolls above Gainsborough. (The *Commissioner.*) That means, of course, the existing statutory tolls, I take it. (The *Witness.*) I should take it to be so. (The *Commissioner.*) It only says the Bill will not do so. Please do not interrupt me. It does not go beyond that remark about the Bill; it does not say anything about that. They will not charge up to their statutory powers." That is the observation that I make upon the letter now. (To the *Witness.*) Now let us have a little more about the up toll from Gainsborough to Dunham. At the present moment we charge 1*d.* per ton?—Yes.

4860. Upon coal, plaster, and lime?—We do not carry any of those three items.

4861. The Board of Trade have made a reduction on that of 25 per cent, have they not?—Yes.

4862. Is that so?—Yes.

4863. On other traffic is this the toll, ·20 per ton per mile, and that on the 14 miles would be 2·80*d.*, is that correct?—Not as far as we are concerned. We only pay 1*d.* a ton for the whole distance.

4864. Are these their present statutory powers?

Mr. *Lewis Coward*– continued.

powers?—No; I believe their statutory powers are 1*d.* a ton.

4865. On coal, plaster, and lime, but on all other traffic ·20*d.* per ton per mile?—I am not aware of that.

4866. You will not dispute the Act of Parliament?—I will not dispute the Act of Parliament.

Chairman.] Is that the existing power?

Mr. *Coward.*] Yes.

Witness.] Is that on through traffic to Lincoln?

4867. I am speaking of Gainsborough to Dunham Shoal?—We only go 12 miles out of 14.

4868. That is our power?—I do not know.

4869. The Act speaks for itself; that would give 2·80*d.* from Gainsborough to Dunham Shoal?—Then it would be a most exorbitant charge.

4870. That is a reduction of 75 per cent.?—I can only say we have not paid any such charge as you mention.

4871. Is that or not a reduction of 75 per cent.?—On your figures undoubtedly.

4872. Does it occur to you that in consideration of this large reduction the Board of Trade have abolished the exceptional toll down of a shilling a boat and so made matters even? Is it fair or unfair to continue this exceptional toll when this other toll is so largely reduced?—We have never paid a toll, we only pay 1*d.*

4873. On coal, plaster, and lime?—We never carry those articles. I am only speaking of matters I carry.

4874. I will take you to something else. At the inquiry did the traders propose ⅞ths of a 1*d.* per ton both ways only so far as Torksey Lock; was that your amendment beforethe Board of Trade? No. The Chamber of Commerce at Lincoln made a mistake; the alteration was made before the inquiry came on before Mr. Pelham. The Chamber of Commerce replied to the queries sent out by Mr. Pelham, and their proposal, I believe, was ⅞ths of a 1*d.* each way, but that was withdrawn, and a fresh proposal put in.

4875. Here is the amendment that was handed to us, "Provided nothing herein contained shall authorise the levying or charging in respect of the boat of a bye-trader from Gainsborough along the Trent and through Torksey Lock or *vice versâ* more than seven-eighths of a penny for the whole distance"?—The error arose from that "*vice versâ*" creeping in, it was not noticed at the time.

4876. If you say it was a mistake I will pass away from it, but whatever your proposal was on that occasion the Bill gives a much lower rate than that proposal?—Yes.

4877. How far is Torksey Lock from Gainsborough?—Eleven miles.

4878. Your tonnage up and down is 20,000 tons, and you have not taken out what is up and what is down traffic?—No.

4879. Would it surprise you to hear, taking the estimate that your counsel put forward, taking a boatload of 50 tons, that on the traffic up and down for the month of March the difference in our favour is 8*d.*?—One month would not be a fair comparison.

Re-examined by Mr. *Whitehead.*

4880. I understand that before you came before Mr. Pelham the Chamber of Commerce of Lincoln sent in a certain amendment to the Board of Trade?—Yes.

4881. Before the matter came to be discussed by anybody, before the Board of Trade or before Mr. Pelham, they discovered they had made a mistake?—Yes.

4882. And they withdrew their amendment, and the matter, which was actually discussed before Mr. Pelham, was quite different?—It was, it was a mistake of the Clerk of the Lincoln Chamber of Commerce inserting this "*vice versâ*," it ought to have been left out.

4883. What you ask the Committee to do is this: to leave that toll of ·75 on the up traffic, reducing the powers of the company to a certain extent, to a small extent?—To a small extent.

4884. And preserving the existing statutory right which you have of sending your traffic down at 1*s.* a boatload?—That is so.

Mr. *Whitehead.*] That is all the evidence I propose to call.

Mr. *Coward.* I do not know whether the Committee would like to hear evidence upon this matter. I could prove the actual trading for this month if necessary. I was going to point out how the figures stand.

Chairman.] Probably Mr. Pelham will put before us all that is necessary unless you wish to call a witness.

Mr. *Coward.*] No, I do not wish to call any evidence.

Mr. *Pelham.*] The desire of the Board of Trade in this case was to reproduce as far as possible the existing toll, it was more one way than it was the other. If the Committee should think that the existing toll should be preeserved, I should say that if 1*s.* in one direction is kept up the toll for the other direction must be raised considerably above ·75, ·75 is a very low toll for 12 or 14 miles; 12 miles up to the junction for the Lincoln traffic, and 14 miles for the other traffic. It is a very low toll; ·75 is about ·05 per mile; very small indeed.

Chairman.] Do you think you have struck a just balance between the two.

Mr. *Pelham.*] I think I have; and these traders at Lincoln carry full both ways; they bring up the raw material, and take back the manufactured article, or *vice versâ*, I forget which.

Chairman.] ·75 will stand in Scale 2, and we reject the amendment.

Mr. *Whitehead.*] There is one more amendment on the list, but that is withdrawn.

Mr. *Pelham.*] I understand that completes this Bill.

Mr. *Moon.*] There is one matter about the Newark Navigation.

Mr. *Pelham.*] There is one clause which the Newark Navigation wish for, and I understand the traders do not object to it. "In the event of the lease authorised by the Trent (Burton-upon-Trent and Humber) Navigation Act, 1887, to the company of the Newark Navigation being determined, the Newark Navigation Commissioners may

may charge the tolls and wharfage charges authorised by this Schedule in respect of the Newark Navigation." That will come in anywhere at the end of the special clauses, the point being that that little bit of the navigation at Newark belongs to the Newark Commissioners, and they have leased it to the Trent Navigation Company. The Newark Commissioners say if anything should happen to the Trent Navigation Company we should like to be able in the future to charge tolls on our navigation, and we wish it to be made clear that this Schedule will apply to us.

Chairman.] Is there any objection to that?

Mr. *Whitehead.*] I do not object.

Chairman.] Then that is passed.

Mr. *Whitehead.*] There is one question which has been left over relating to Beeston Cut.

Mr. *Pelham.*] That is a question arising on another Bill. I wish to say there are two clauses which, *pro formâ*, I move that the Committee pass: one, that all exemptions, except where specially saved, shall cease, and the other, a saving as to pleasure boats. The Committee have approved of those in the other cases.

Chairman.] Yes, they will go into all the Bills.

Die Veneris, 6° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	Sir RICHARD PAGET.
Lord CLIFFORD OF CHUDLEIGH.	
Lord HERRIES.	Mr. SPICER.
Lord HAWKESBURY.	

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 3) BILL.

(ABERDARE, &C., CANALS.)

CALDER AND HEBBLE NAVIGATION.

Mr. *Whitehead.*] BEFORE I call a witness, may I correct a figure which I gave yesterday in my opening speech? I stated that the capital of the company was 172,000*l.* That figure I took from the speech of my learned friend Mr. Balfour Browne when we were before Mr. Pelham, but on referring to the canal returns sent in by the canal company to the Board of Trade in 1888, I find there that their capital was 159,000*l.*, that is in my favour rather than against me, it may be that it is now 172,000*l.*; but I thought it right to make that correction to the Committee.

Mr. *Carr.*] That figure would not be right, there is a further sum in debentures. We had better leave the figures to be given by our witnesses.

MR. JOHN HUNT, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

4885. YOU reside at Leeds, do you not?—I do.

4886. And you were for many years a member of the firm of Messrs. John Hunt and Sons, general carriers on the navigations of the West Riding of Yorkshire?—Yes, that is so.

4887. Including the Calder and Hebble?—Yes.

4888. Recently I believe you have retired from your partnership in that business?—Yes.

4889. But you maintain a certain financial interest in it?—Yes.

4890. And you are therefore interested pecuniarily in the tolls to be settled by the Committee?—I am.

4891. You are, I believe, also a member of the Leeds Chamber of Commerce, and of the Canal Rates and Railway Rates Committee of that body?—That is so.

4892. And you are Chairman of the Airedale Steam Tug Company?—Yes.

4893. I believe you have been deputed by the Leeds Chamber of Commerce to attend before the Committee and give evidence on their behalf with reference to this question of bonus mileage?—I have been.

Mr. *Whitehead*—continued.

4894. You are thoroughly familiar with the circumstances of the Calder and Hebble Navigation?—Yes.

4895. You have conducted business on it for many years?—Yes.

4896. In what traffic were you and your firm to which you belonged mainly interested?—In the carriage of tanning materials, myrabolams, shumac, dye-woods, from Goole and Hull to Huddersfield and Dewsbury, and oil, resin, and salt-cake from Runcorn to Messrs. Hodgson and Simpson.

4897. In the main those articles are in the higher classes, Class C. and Class 1?—That is so.

4898. Not in the mineral Classes A. and B.?—No.

4899. Can you describe to the Committee what the condition of the navigation is on that part where the company propose to get a bonus mileage: what is the distance, for example, from Fall

Mr. *Whitehead*—continued.

Fall Ing Lock, where there is a junction with the Aire and Calder ,and the river part of the navigation of the Calder and Hebble?—From Fall Ing Cut, 34 chains in length, the River Calder is 78 chains; Thorne's Cut is 48 or 49 chains, making altogether 160 chains, or two miles.

4900. Of that two miles, about half-a-mile is Fall Ing Cut?—Yes.

4901. One mile, or half the distance, is the natural river?—That is so.

4902. And the remainder is a cut again?—That is so.

4903. Is Thorne's Cut the upper of the two cuts an expensive cut?—No, it is merely a straight cut to avoid the bend in the river.

4904. You have seen a great many different kinds of canals, and you have general experience of the canals in the West Riding of Yorkshire?—Yes.

4905. In your opinion, looking to your experience, would you describe Thorne's Cut (that is half-a-mile) as being an expensive cut compared with other canals?—Compared with other canals it is an ordinary cut with no specially expensive works about it.

4906. The river and these cuts are, I believe, wider than the upper portions of the Calder and Hebble Navigation?—That is so.

4907. Wider and deeper?—Wider and deeper, and the locks up to Thorne's Cut are larger than what they are beyond.

4908. Up to Figure-of-Three Lock?—Yes.

4909. You say that some of your traffic did go up as far as Huddersfield?—Yes.

4910. Does the Huddersfield traffic get any advantage from the breadth and depth of the lower part of the navigation?—No; because the locks are small when you come to the upper reaches of the river; the Figure-of-Three Lock and the locks there generally will not admit a large vessel the same as below.

4911. Before Fall Ing Cut was made, the Calder and Hebble Navigation ran along the river bed into the town of Wakefield?—Yes.

4912. The junction between the Aire and Calder and the Calder and Hebble is within the borough of Wakefield?—Yes.

Sir *William Houldsworth.*] Where the blue and red are together means the old arrangement going into Wakefield.

Mr. *Whitehead.*

4913. Yes, the River Calder runs into the borough of Wakefield at the same point in the borough as the Aire and Calder Navigation begins. (To the *Witness.*) At that junction there are some mills and the weir?—There are.

4914. Therefore, dismissing from your mind the existence of the Fall Ing Cut, if traffic had to come along the old route from the Aire and Calder to the Calder and Hebble, the boat must be unloaded in Wakefield and reloaded and then sent along the Calder and Hebble?—That is so.

4915. That of course would be a great disadvantage to the traders, and would prevent a certain amount of trade passing along that continuous route?—Yes.

Chairman.] You are leading him now.

Mr. *Whitehead.*

4916. I must apologise to your Grace. I am afraid I did lead him rather too much. (To the *Witness.*) If that is so a certain quantity of traffic would come on to the Calder and Hebble, in consequence of the existence of this cut which would not have come if that cut had not been made?—It would very likely have come by other routes.

4917. And for that additional traffic, if there is any, the Calder and Hebble put on a bonus mileage to get a profit out of this cut which they would not have got had it not been made?—Yes.

4918. One matter about the water supply in these lower reaches. Are the company put to any expense in providing water in the main part of their navigation?—None whatever; the water is supplied from the river from the water which all comes down from the Rochdale Canal. There is a never-ending supply of water, so far as my knowledge goes.

4919. And you have been on the navigation for many years?—I have been on the navigation for many years, and have had to do with it for over 20 years, as a trader on the navigation.

4920. But the Board of Trade under the Schedule have given to the company a minimum toll charge of 5*s.* for a boat?—Yes, and that is an increase on the first half mile; it is an increase of 50 per cent. on the ordinary boat-load.

4921. May I take it that the ordinary boat-load on the first half-mile would now pay 2*s.* 6*d.*?—Yes.

4922. But even if no bonus mileage is given at all on that first half-mile all traffic will now become subject to a minimum toll of 5*s.*?—That is so.

4923. Though, as you explained to the Committee, the company do not incur any cost in providing water, in respect of which the minimum toll is given?—They do not.

4924. Now, will you turn your attention to the Halifax Branch. That, I believe, was not part of the original waterway?—It was not.

4925. It was made under the Act of 1825?—That is so.

4926. If that cut had not been made the traffic which might have gone to Halifax would have had to unload at a point about a mile and a-half from the town?—Yes, and have had to be carted up a very steep incline.

4927. Do you think that any large quantity of traffic would have gone to or from the town of Halifax by canal if that cut had not been made?—It would not; and then again the traffic which does come as a rule goes, or at least 80 or 90 per cent. of it, the whole length of the navigation for 20 miles.

4928. If it goes the whole length of the navigation before it reaches the Halifax Cut, the canal company have already obtained a profit upon the tolls in the lower portion of the canal?—Yes, they have.

4929. And those tolls they would not have obtained unless the cut had been made?—No; they would not have been able to obtain the same traffic from Halifax as they do under the present circumstances. I take it that the Halifax branch

Mr. *Whitehead*—continued.

branch is the same as a branch line upon a railway, as it is a feeder to the main line for traffic.

4930. When I was addressing the Committee I suggested to them that that Halifax branch ought, under the circumstances which you have explained, to be treated on the same basis as the rest of the canal, and with an equal system of tolls applied to the whole?—That is my opinion also.

4931. Do you think in expressing that opinion I express the opinion of the traders?—That is so.

Chairman.] You have not asked the witness the same question upon this Halifax Cut that you did upon the other one, as to whether there was any difficulty in making it.

Mr. *Whitehead.*

4932. It is agreed that it is an expensive thing to construct; it goes up hill?—Yes.

4933. And there a large number of locks?—It is similarly situated to the Bradford Canal in all respects. The water has to be pumped up, and the expense of making the canal would be a serious one. I admit that; but still, for the benefit of traffic, I think it is not entitled to bonus mileage. The Leeds and Liverpool did not ask for a bonus mileage for Bradford. All the water has to be pumped to supply the Bradford Canal; and this is a similar one.

4934. You have dealt with these two branches; can you give the Committee some information about these articles of your traffic which you used to carry along the canal; you mentioned, I think, dye-woods?—Yes.

4935. Can you state something about the actual tolls you used to pay upon dye-woods, and the tolls that have been chargeable under the Schedule fixed by the Board of Trade?—The tolls that we paid were about 11*d.* a ton on the Calder and Hebble.

4936. From what point to what point? Dewsbury is an important town along the navigation?—Yes.

4937. Did you carry any dye-woods to Dewsbury?—Yes, but more myrabolams, valonia, and shumac.

4938. Is myrabolams a dye material?—Yes, it is a dye material, and it is also used for tanning; and valonia is also a tanning material.

4939. What class are these articles in under the Board of Trade classification?—Under Class C.

4940. Take traffic going up to Dewsbury in these articles; it would traverse seven and a-quarter miles of the navigation?—That is so.

4941. What toll have you been accustomed to pay in respect of that traffic?—6·34*d.*

4942. 6·34*d.* for the seven and a-quarter miles per ton?—Yes; and the bonus mileage would give us nine and a-quarter miles instead of seven and a-quarter miles; and under the Provisional Order Bill the toll would be 9·25*d.*

4943. 9·25*d.* instead of 6·34*d.*?—Yes. And, again, as to the Mansion House Association's amendment, 7¼ miles, 7·25*d.*, or an increase of from 6·34*d.* to 7·25*d.* in favour of the company.

Chairman.] This gentleman says according to the Mansion House amendment.

Mr. *Whitehead.*] The Mansion House amendment asks for this bonus mileage to be struck out. He appears to support the amendment, and he thought you would like to know the effect upon this particular traffic of what he asked the Committee to do.

Chairman.] The amendment is to omit Section 4?

Witness.] Yes.

Mr. *Whitehead.*

4944. The actual toll is 6·34*d.*; and the Board of Trade proposal, 9·25*d.*; and the Mansion House Association's proposal, 7·25*d.*; so that even if the Mansion House amendment is accepted, so far as that toll is concerned, the company will have a margin?—Yes.

4945. Now take that traffic going to Huddersfield; it would go over the Calder and Hebble, and would enter the Huddersfield Canal at Cooper's Bridge?—Yes.

4946. And then traverse the Huddersfield Canal?—Yes.

4947. What is the toll that you pay to the Calder and Hebble for their part of the transaction?—The distance is 13 miles, and the toll payable at present on oil is 9·75*d.*; on rags, 8·12*d.*; on sugar, 11·37*d.*

4948. Take rags?—8·12*d.*

4949. That is the existing proportion which you pay?—The existing rate of toll.

4950. The rate of toll per ton which reaches the Calder and Hebble Navigation?—Yes.

4951. What would they receive by the Board of Trade Schedule if they increased the power?—They would receive in mileage 15 miles; in tolls 13·75*d.*

Chairman.

4952. Is that what you now pay upon the Calder and Hebble on rags?—Yes, 8·12*d.*

4953. Are you now paying that?——

Mr. *Whitehead.*] He explains that these were the tolls he had paid up to recently. He has now retired from the management of the business, though he retains a financial interest in it, and is, therefore, pecuniarily affected by the success of this particular business.

Chairman.] He is comparing two different things.

Mr. *Whitehead.*

4954. Yes; but I will show that it is relevant. (To the *Witness.*) The traffic passes along a continuous route from Goole up to Huddersfield; first it goes over the Aire and Calder, and then over the Calder and Hebble?—That is so.

4955. Then over a portion of the Huddersfield Canal?—Yes.

4956. The Aire and Calder tolls were before Parliament last Session?—That is so.

4957. And those tolls have been reduced?—They have.

4958. Therefore, in the future, the Aire and Calder cannot charge to the trader so much as they could in the past?—No.

4959. Or so much as they have actually charged?—No.

4960. Now I will go to the Huddersfield

Mr. *Whitehead*—continued.

Canal, that has been before this Committee?—Yes.

4961. This Committee have reduced the tolls on the Huddersfield Canal?—Yes.

4962. Therefore, at the two ends of the journey there has been a reduction?—Yes.

4963. What is the actual toll on the whole journey, we will say from Goole to Huddersfield, of any article?—Take wool, that is in the second class, wool for 13 miles is 6·50*d.*

4964. If you have not got it, I will ask you the question in another way. If the Aire and Calder, and the Huddersfield Canal are, each of them, deprived of a certain toll-taking power for the future, and an article which has gone the full length has paid a certain sum, if the Calder and Hebble obtain powers over and above their existing actual receipts, they would be able to put those powers in force?—Certainly.

4965. They would be able to charge such a sum under the maximum as would make the total expense to the trader what it was under the old system?—Very nearly.

4966. The result would be that the trader would be deprived of the benefit which Parliament conferred upon him last year.

Chairman.] I think this is leading him. You want to put into his mouth what, no doubt, would come out in other ways.

Mr. *Whitehead.*

4967. If that were the effect, would it accord with the wishes of the traders?—It would not be fair to the traders to have to pay a higher through toll on the Aire and Calder than on the Calder and Hebble, and then a through toll again on the Huddersfield Canal. I think it would be fair, Parliament having given an initial charge to the Aire and Calder, if the same initial charge were given to the Calder and Hebble, and the same to the Huddersfield Canal, that would be fair all round.

4968. The Aire and Calder have been already settled with by Parliament; you propose so far as the Calder and Hebble is concerned that they should have the same tolls as the Aire and Calder?—I do; I wish it, but I wish it without the bonus mileage.

4969. If in addition to the Aire and Calder tolls they get the bonus mileage they will in effect be getting higher tolls than the Aire and Calder?—They will.

4970. Would you wish them to have higher tolls than the Aire and Calder?—No; I want them to have the same tolls.

Cross-examined by Mr. *Balfour Browne.*

4971. Who asked you to come out of your genial retirement and give evidence?—The traders.

4972. Nay?—True.

4973. Instead of the traders asking you, you were asking the traders?—Yes, after I got started.

4974. Who asked you first. Do you know Mr. Marston?—Yes.

4975. Of the Aire and Calder?—Yes.

4976. Have you had any communication with him?—I have not.

Mr. *Balfour Browne*—continued.

4977. Never about this matter?—This matter came to my knowledge first from the Mansion House Association.

4978. Did they ask you to take it up and give some evidence?—Yes.

4979. First of all as regards your own interest, you have not carried anything on the canal since 1892?—Yes, we have.

4980. One boat, I think, merely for the purpose of coming and saying you were a trader?—No, we do not solicit traffic on the Calder and Hebble at present, I admit.

4981. You have been dissecting the rates between Goole and Huddersfield?—Well, as well as I can.

4982. With assistance?—Of course I required some assistance.

4983. Who gave you the assistance?—My son.

4984. That will not do. Is not it the fact that the charges that are made are inclusive tolls the whole way from Goole to Huddersfield?—I think so.

4985. How were you, without the assistance of the Aire and Calder, able to dissect them?—The Calder and Hebble during the Board of Trade Inquiry put in certain tables. I got a portion of those tables in order to get up a memorial on behalf of the traders in order to get a re-consideration of the question of the bonus mileage.

4986. After you had been instigated thereto by the Mansion House Association?—Certainly.

4987. We see how opinion is manufactured. How did you dissect the rate, because I see your rate from Goole to Huddersfield is 2*s.* 11*d.*, and in these Notes there is no dissecting at all. You cannot tell what is paid to the Aire and Calder, and what to the Calder and Hebble?—No, because I have not been able to get that information.

4988. With regard to the bonus mileage, you object to that?—Yes.

4989. Do you know that the Aire and Calder, for a little aqueduct that only cost them 20,000*l.*, got a bonus mileage from Parliament?—Yes, for the Stanley Aqueduct; I know that.

4990. And they have a bonus mileage, and you want us to have none?—They have a bonus mileage for that particular work, but they have five miles taken off before for the short cut they have made.

4991. Do you know that the Rochdale Canal have got a bonus mileage allowed with a much higher toll than we are asking?—Yes.

4992. Do you know that the Bridgewater Canal has got a much higher toll, and has been allowed a bonus mileage for 10 locks?—Yes.

4993. If that is fair and reasonable, why should not we have a bonus mileage when we are proposing the lowest scale of tolls upon any canal?—I think that the physical position of the Calder and Hebble is such, with its water supply, that there is no need to give them a bonus mileage.

4994. I have here a letter from you addressed to Messrs. Jackson and Company, boat builders, of Mirfield; are they traders on the canal?—Yes.

4995. "Gentlemen.—

Mr. *Balfour Browne*—continued.

4995. "Gentlemen.—Calder and Hebble Navigation.—On behalf of the traders on the above navigation the Mansion House Association have petitioned against the clauses giving the company power to charge tolls on a bonus mileage of three and a-half miles; so to Thorne's Cut, which is two miles, they will be charged as four miles; the Halifax branch, which is one and a-half miles, will be charged as three miles, The Mansion House Association have made arrangements for the expense of counsel appearing in support of the petition except witnesses." What do you mean by "have made arrangements"?—I mean that arrangements had been made.

4996. That is the same thing; what did you understand; what arrangement did you think the Mansion House Association had made with regard to my learned friend, Mr. Whitehead?—I do not know. I did not know their business; I was asked to get witnesses, and was told that no expense for witnesses would be provided by the Mansion House Association.

4997. Did it occur to you to ask where the money was coming from?—I did not ask any questions about that, because it was not to my interest; as soon as I got that information I went to some of the traders that were mostly interested in this matter and arranged to get up evidence.

4998. And you even worked out the decimals for the witness that came yesterday?—Yes, that is so.

4999. Then the letter goes on, "I am going to give evidence in support of the traders of Leeds and district. I should be glad if one of your firm would go up. I have asked Messrs. Henry Mellor and Sons and the Halifax Flour Society." We saw Mr. Mellor yesterday, and can form our opinion of him. Are the Halifax Flour Society coming?—No.

5000. Are these gentlemen you wrote to, Messrs. Jackson, coming?—No, but they signed the memorial to do away with the bonus mileage.

5001. Did you ask also Messrs. Brotherton?—Yes.

5002. Are they coming?—No.

5003. Did you ask Messrs. Reynolds and Hazelgrove to come up and give evidence?—Yes.

5004. Are they coming?—No.

5005. "I should like one each from Wakefield, Knottingley, and Goole." You have not succeeded in getting those representative gentlemen?—I had succeeded in getting a gentleman from Goole, but I got a telegram last night to say that he could not possibly come up.

5006. "I have strong reasons to believe we shall succeed in striking out the bonus mileage on through traffic, and this will make a difference of 5*s.* to 15*s.* a cargo." Where did you get those figures?—I took it that the bonus mileage on Class C. would make a difference of about 3*d.* a ton on the through traffic.

Re-examined by Mr. *Whitehead.*

5007. My learned friend asked you a lot of questions which hardly relate to tolls and charges on this canal. I think you told him that a certain memorial was got up amongst the traders in this district?—That is so.

Mr. *Whitehead*—continued.

5008. Which was sent in to the Board of Trade?—Yes.

5009. Was that a *bonâ fide* memorial?—A *bonâ fide* memorial.

5010. Was it extensively signed?—It was signed by 17 interested persons. I have a copy of it here.

5011. Were they representative traders who signed it?—They were traders, and carriers.

Mr. *Balfour Browne.*] I asked nothing about the memorial.

Mr. *Whitehead.*] You asked whether the traders in this district were interested.

Mr. *Balfour Browne.*] No.

Mr. *Whitehead.*] You suggested to Mr. Hunt that this was a manufactured case got up and not a *bonâ fide* case emanating from the traders.

Mr. *Balfour Browne.*] I asked him: did you ask so and so to come, and are they coming; and he said, no; but they have signed a memorial. That does not bring in the memorial.

Mr. *Whitehead.*

5012. I do not ask to bring in the memorial. I asked this: you say the memorial was extensively signed by traders in this district?—Yes.

5013. Was that memorial honestly and *bonâ fide* signed by the traders in their own interest?—It was.

Chairman.] He can only say what his motive was in signing, he cannot speak to the motives of other people.

Mr. *Whitehead.*] It was suggested that Mr. Hunt had acted on behalf of somebody else and got together fictitious opponents.

Chairman.] No, I do not think that was suggested.

Mr. *Whitehead.*] If that was not suggested I am content to leave it.

Chairman.] He can only speak for himself.

Mr. *Whitehead.*

5014. My learned friend put to you cases of bonus mileage on the Rochdale Canal and on the Bridgewater Canal; I do not know what they have got to do with this case, but I must ask you a question about them: the Rochdale Canal and the Bridgewater Canal have their termini in Manchester?—Yes.

5015. A very expensive region?—Yes.

Mr. *Balfour Browne.*] The Committee know as much about it as Mr. Hunt.

Mr. *Whitehead.*

5016. You say the physical conditions of this canal do not, in your opinion, justify a bonus mileage?—I do.

5017. Something has been said about the Mansion House Association; it has been suggested that that body induced you to get up evidence in connection with this case; is that so?—In the first instance. I waited on the Board of Trade and discussed the matter with some gentlemen there and then. I thought we had sufficient groundwork to go on, and if I could get this

Mr. *Whitehead*—continued.

this information, which is here and which you have before you, within a reasonable time, the matter might be reconsidered. I was two days behind, and I received a reply from the Board of Trade that no alterations could be made without the consent of the Committee in Parliament. Then I followed that up, and there is the result. I am a member of the Mansion House Association, and I petitioned on my behalf and on behalf of those traders whom I am here to-day to represent.

5018. You are a member of the Mansion House Association?—Yes.

Sir *William Houldsworth.*

5019. Would you object to a bonus mileage on the Halifax Cut; you have admitted that that was an expensive piece of work?—I admit it was an expensive piece of work, but I do not think that the whole trade of the canal should be charged with a bonus mileage; as a compromise I would, on behalf of the traders, accept it if you would knock out the bonus mileage at the Wakefield end for the through traffic.

5020. The bonus mileage on the Halifax Cut would only affect the traffic to Halifax?—Yes.

5021. Is that a large or a small proportion?—A small proportion.

5022. About what proportion of the total would it be; a quarter?—No, not a quarter.

Mr. *Whitehead.*] There was some information given to a certain extent in the Table placed before the Committee yesterday of the Halifax Branch traffic which came within that and 18 miles, and you see the proportion it bears to the total tonnage.

Sir *William Houldsworth.*

5023. If the bonus mileage be put on the Halifax Canal, would it in your opinion affect the traffic very much from Halifax?—I do not think it would affect the traffic from Halifax, but it would affect all traffic going through if you put on the bonus mileage at Wakefield; and one of my objects is to open a trade with the Manchester Ship Canal, and I can see my way to do some good for the agricultural interests in the county of Cheshire. I did for years carry hundreds of tons into that district for the farmers of manure from Leeds, and loaded back salt cake to Wakefield.

Mr. *Whitehead.*] On the Table that we handed in yesterday there are certain tonnages given for certain distances; when you come down the column for the distance over 18 miles, and the remainder of the distance, the Halifax traffic is included in it.

Lord *Hawkesbury.*] Does that include the Sowerby Bridge traffic?

Mr. *Whitehead.*] The Halifax traffic must be less than that.

The Witness is directed to withdraw.

Mr. *Whitehead.*] That closes the case for the Mansion House Association.

Chairman.] What do the Board of Trade say upon this matter?

Mr. *Pelham.*] Your Grace, as the Halifax Cut was a very expensive piece of work it seemed a very proper place for bonus mileage, not for an increase of mileage tolls which would apply to all traffic, but bonus mileage which would only affect the traffic which used the expensive part of the canal. As regards the bonus mileage at the Wakefield end, I do not think the case is quite so strong for the principle of the bonus mileage, putting aside the amount; because it might be said there that if you want to give anything to the company you should give it by an increase of mileage tolls rather than by bonus mileage, because most of that traffic is through traffic going right through from end to end of the canal, or a great part of it, at any rate. But the Board of Trade rejected the proposal made by the company to give a very much longer bonus mileage at the Wakefield end. One of the reasons given for asking for that bonus mileage was to give the Calder and Hebble a fair share of the through toll from and to the Aire and Calder. I considered the question exceedingly carefully over and over again, and at last I came to the conclusion that the ordinary scale of 0·50*d.* gave the company a considerable loss on what may be called local traffic. As I said before, you can never bring down the scale of tolls low enough to fit what will probably be the actual through toll which is settled between canal companies in competition with the railway companies. Therefore, in settling this toll, I took not the Tables which have been laid before the Committee of through traffic, but I took the Tables of local traffic and tried to fix it upon that. I found that the ordinary scale of 0·50*d.* did give some considerable loss to the company, but if I had given 0·75*d.* or 0·625*d.* for the first 10 miles on A. and B. traffic it would have given the company too much, so I though the best way was to give the bonus mileage. It is a broad canal, and I thought it met the equities of the case to give it in that way rather than to give a higher toll applying throughout the whole of the canal, which would really give too much.

Mr. *Balfour Browne.*] This matter was discussed at very considerable length before the learned Commissioner sitting for the Board of Trade, and as you see it was really very much an attempt on the part of the Aire and Calder to influence the question of through rates. They themselves have got a bonus mileage on a part of the canal where the expense was considerable, that is to say, 20,000*l.* for an aqueduct. We can show your Grace that upon this length of the canal—I may leave out the Halifax question because my learned friend has made no point against it—the expense of maintenance and of construction is very heavy indeed. The Board of Trade has always gone upon the principle that this Committee has gone upon, namely, that it is far better to make the people who get the benefit of that expenditure, either on maintenance or on capital account, pay for it instead of giving a large toll throughout where everybody will have to pay, whether they use that part of the canal or not. That I take to be the principle regulating the action

action of this Committee in allowing something as a bonus mileage for the 10 miles upon the Bridgewater Canal. There was no other ground —it was only because it had been more expensive to make and more expensive to maintain. That also, I take it, was the ground upon which the Committee allowed the Rochdale Canal to have certain bonus mileages, one at the Manchester end and one at the summit level with reference to water. We can convince you without doubt that this part of the canal has been exceedingly expensive; and in fact, my Lord, this is not, I beg to say, a real *bonâ fide* traders' opposition. We have traders here who will tell you distinctly they are perfectly satisfied that we should have this power; traders who pay the rate, traders who will even now, if you sanction what the Board of Trade has given, get a benefit, because there will be a reduction of tolls all through.

Now my learned friend has been saying all through this case, the Aire and Calder had their tolls reduced; why should you not knock off the bonus mileage? The fact is, the Aire and Calder have for low-class traffic an existing toll of a halfpenny per ton per mile. Our toll upon the same traffic, instead of being a halfpenny was a penny and an eighth. We said, we will accept the halfpenny if, in consideration of that, you allow us the bonus mileage to the place called Figure-of-Three Lock. We calculate that even then we should make a considerable loss. The Board of Trade, after hearing all that my learned friend could say for his clients, cut down that bonus mileage, not to the Figure-of-Three Lock, but only to the end of Thorne's Lock. We now stand to lose a very considerable amount. I will put in our manager, and he will show you that if the Aire and Calder choose to exact their maximum, even if you allow us the bonus upon the traffic which is exchanged, which is 90 per cent. of the whole, we shall lose 500*l.* a year; is not that enough?

Then my learned friend has not fairly put the case before you. On these Tables, you see the exchange traffic; he left out of consideration altogether our local traffic. Our local traffic is, out of a total of 540,000 tons, 103,000 tons. Upon that I can show you that we make a loss under this Schedule, as allowed by the Board of Trade, of 20 per cent. of our total receipts, yet he put this Table forward as if it was the whole case. We are giving up all on the local traffic. Is it right to consider this question of bonus upon the exchange traffic or upon the local traffic? Mr. Pelham says, and I beg to say that it seems to me fair, upon the local traffic. I will go a step further and say why. If these tolls are too high upon the exchange traffic, the Aire and Calder, or any trader upon the canal, can take us before the Railway Commissioners and have them reduced. Upon the local traffic nobody can take us before the Commissioners, and that is why the Board of Trade have, no doubt, cut down our local power, because it does protect the traders, but allows us to have this small increase upon the bonus mileage at the one end, because the Railway Commissioners can cut it down. My learned friend says truly it is an expensive thing to go before the Railway Commissioners. It is just because of the expense that the companies do not go. They arrange the matter between themselves, and the threat of having the power to go before the Railway Commissioners makes the company reasonable, and between ourselves and the Aire and Calder both our interests are to foster the traffic. The Calder and Hebble has done wonders in that district. The Calder and Hebble has no interest at all except to foster the traffic. Under these circumstances are you not convinced that the traders will be perfectly safe? If Mr. Pelham had allowed 0·65*d.* as given to the Bridgewater, plus the bonus, then he says he would have allowed too much. Under these circumstances he has cut us down to a minimum toll of 0·5*d.*, and given us a small bonus on the expensive part of the canal, and that would now meet the large expenses we are at in regard to that portion of the canal. I have not only two managers of experience, one our traffic manager, and Mr. Lloyd, who will tell you they think it perfectly reasonable, but if necessary, I have the evidence of a considerable number of traders, and that is a unique thing to be able to call,—upon a canal carrying a very large amount of traffic. They will tell your Grace that they are satisfied we have all along been doing the best we could for the trade, and that they are satisfied that we should have the bonus mileage. Under these circumstances, I think the Mansion House Association, or the people behind them, have failed to make out any case for striking out the bonus mileage. If it is not necessary to call the evidence, I will not do it. Mr. Pelham heard all the evidence, but I think on the whole this is a fair proposal, and I ask you to sanction the bonus mileage.

Chairman.] You must go on with your evidence.

MR. HENRY PRICE SWINDELLS, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Carr.*

5024. You are General Manager of the Calder and Hebble Navigation?—I am.

5025. The length of the navigation has been stated as 21½ miles; is that correct?—Yes, with the Halifax branch; a mile and a-half.

5026. My learned friend Mr. Balfour Browne gave the position of the canal, but will you repeat it?—We join the Rochdale Canal at

Mr. *Carr*—continued.

Sowerby Bridge, on the western side; the Huddersfield Canal at Cooper Bridge, towards the centre of the small branch called the Dewsbury Old Cut, 7¼ miles from Wakefield; and the Aire and Calder at Fall Ing Lock.

5027. What is the character of the country through which you pass; is it a hilly country?—Very hilly country; the fall between Wakefield

Mr. *Carr*—continued.

field and Sowerby Bridge is 192 feet; but the Halifax terminus would be 100 feet in addition to that.

5028. How many locks are there upon your system?—Including flood locks, 61 altogether.

5029. Mr. Whitehead put in the capital of the company; he did not get the right figure when he gave the figures showing the capital of the company?—The capital of the company stands at 159,600*l.*, and since that we have borrowed 13,000*l.* on debentures, and, roughly speaking, we have spent out of revenue and capital about 200,000*l.*

Mr. *Whitehead.*

5030. Since when?—Since two years ago.

Lord *Herries.*

5031. What is your average dividend?—Four per cent. the last two years, and 5 per cent. before.

Mr, *Carr.*

5032. What dividend has been paid upon your original shares?—Upon the money due to the shareholders?

5033. Upon your original capital no dividend has been paid upon the money which has been spent as capital expenditure out of revenue?—No.

5034. Of the large sum you mentioned of 200,000*l.*, a very considerable portion has been spent within the last 25 years?—A considerable portion of it.

5035. What are your present Parliamentary powers of charging?—We are at present enabled to charge under the Act of 1825, which was confirmed by the Act of 1834, 1⅛*d.* per ton per mile upon the lower class from one end of the navigation to the other, and 2¼*d.* per ton per mile upon higher-class traffic.

5036. Under that Act of 1825, your Parliamentary powers of charging were revised, were they not?—They were cut down one-half in 1825.

5037. With regard to your proposals before the Board of Trade, I understand you asked for rather larger bonuses than the Board of Trade thought fit to give you?—Yes; we proposed to have half a-mile for a mile for the Figure-of-Three Lock; and 6¼ miles from Fall Ing Lock.

5038. And at the Halfax end?—We asked for any portion of the Halifax Branch, which is a distance of a mile and a-half, to count as for four miles.

5039. You thought fit in bringing your proposals before the Board of Trade to fix your tolls at the lowest toll rate, beginning with 0·50*d.*?—Yes; but our original proposals were very much higher; we did not ask for a bonus-distance toll at all, but we asked for a very much higher rate of toll; 0·70*d.*

Mr. *Carr*—continued.

In Class A. for the first six miles, and then on the higher classes to go up to 1½*d.* per ton per mile; but, in consequence of an expression of opinion on the part of Sir Courtenay Boyle before the Select Committee under Lord Northbrook, who said he thought it necessary that uniformity amongst canals should be preserved, and suggested that any peculiar circumstances should be met by increased distance, we remodelled our Schedule sent in to the Board of Trade.

5040. Are you not as a canal most desirous of encouraging traffic, being simply a toll-taking canal?—That is our desire.

5041. And considering the present rates which you have asked for without such increase of toll as you think would follow on those rates, you could hardly hope to pay even your present small dividend?—We put in Tables showing that on entirely local traffic we stand at a loss of 20 per cent. of our present receipts; and I may add that I have had a careful statement prepared which summarises itself in this way on through traffic: that if the Aire and Calder exact what Parliament has given to them, which they can do, and would not possibly agree to a through rate, it would result in another loss to us on the actual receipts of 500*l.* a year.

5042. You have some Tables showing the loss on the local traffic, have you not?—Yes.

5043. Does Table E. bear out what the witness says?—The Table I will put in shows for the year 1890 that the amount we actually received was 2,432*l.* 9*s.* 9*d.* I do not know whether it is worth while to refer to it, but I may say that our maximum powers would have enabled us to charge 4,508*l.* 2*s.* 1*d.*; but that, exclusive of the bonus distance, would have reduced the amount of 2,432*l.* to 1,888*l.*, or an actual loss of 544*l.*

5044. Those figures you put in are exclusive of the proposed bonus?—Exclusive of the bonus.

5045. I think you have worked out figures showing that you would actually suffer a loss upon your local traffic, even if the bonus distance was allowed as proposed by the Board of Trade, taking the month of March 1894?—Yes. I took that month and had it worked out to see what difference the bonus distance would give us, and I found that the actual receipts of that month would be 153*l.* 0*s.* 6*d.*; and if we got that which we ask for under the Bill No. 3, including the bonus distance, we should only receive 117*l.* 11*s.* 8*d.*

Chairman.

5046. Is that against 500*l.*?—No, against 153*l.* The tonnage is not in proportion to what it was for the year 1890. The decrease for that month was 35*l.* 14*s.* 10*d.*; that is the decrease for that particular month, March 1894.

[*The following Tables are delivered in:—*

Table E.

Calder and Hebble Navigation.

Toll Traffic, Year 1890.

Local.

Class.	Tons.	Amount Received.	Present Maximum.	Proposed Maximum (exclusive of bonus distance).	*Loss on Actual Receipts.*
		£. s. d.	£. s. d.	£. s. d.	£. s. d.
A.	82,113	1,814 2 9	3,253 11 10	1,408 6 7	*405 16 2*
B.	13,511	259 11 11	458 17 –	196 9 10	*63 2 1*
C.	9,431	334 2 8	753 9 10	265 12 9	*68 9 11*
1	416	18 12 7	33 4 7	13 14 6	*4 18 1*
2 to 5	259	5 19 10	8 18 10	3 17 9	*2 2 1*
	105,730	2,432 9 9	4,508 2 1	1,888 1 5	*544 8 4*

Local Traffic.

Comparison of Actual Receipts with Proposals in Bill No. 3.

March 1894.

Classes.	Weight.	Actual Receipts.	As Proposed.
	Tons. *Cwts.*	£. s. d.	£. s. d.
A. and B.	6,171 14	135 17 1	102 14 3
C.	431 10	15 12 7	13 11 6
1 to 5	39 19	1 16 10	1 5 11
	6,643 3	153 6 6	117 11 8

Decrease - - £. *35 14 10*

Mr. *Carr.*] I do not know whether your Grace would like me to ask the witness to give any particular example showing how he worked the Table out, or whether you would prefer it to be left to cross-examination.

Chairman.] Leave it to cross-examination by Mr. Whitehead.

Mr. *Carr.*

5047. (To the *Witness.*) With regard to the traffic which passes over your system, is it mainly composed of short-distance traffic?—Yes, very much so.

5048. Would you just shortly give the figures showing that to his Grace and the Committee?—Taking the year 1890, we find that out of the total of 541,000 tons 74,962 tons do not pass more than half-a-mile; 10,674 tons between half-a-mile and a mile; 46,358 tons between one mile and two miles; and 9,033 tons between two and three miles, or a total of 141,027 tons is comprised within the distance of three miles; or I might take it a step further and say that I find that 196,802 tons, or more than one-third of the total tonnage, is comprised within the distance of six miles.

5049. You call your canal a distributive canal?—Yes.

5050. Owing to its geographical position between the Huddersfield and the Rochdale at the Halifax end of the canal?—Yes.

5051. It was opened by my learned friend Mr. Whitehead that your canal did not show any of the results which were generally given for demanding bonus distances; that it could not show expensive construction or expensive maintenance, which is generally shown when such demands are made. Is that the case with regard to your canal. Was your canal an expensive canal in construction?—Yes.

5052. What does the expense work out to per mile of the canal?—You may take an average of 15,000*l.* a mile.

Mr. *Whitehead.*

5053. Does that include the 200,000*l.* upon which you do not ask any revenue?—Yes, I think so. I may say with regard to the bonus distance at the Wakefield end——

Mr. *Carr.*] We will come to that presently. As regards the expense of maintenance upon the canal, what is the expense per mile of maintenance?

Chairman.] He said the expense upon the Halifax end was very great.

Mr. *Carr.*] I asked upon the whole canal. My learned friend Mr. Whitehead said, in asking for bonuses, that you ought to show a great expense over the whole canal and not over only a certain portion of the canal; that is why I thought it necessary to put that before you.

Witness.] I estimate the maintenance at 350*l.* per mile.

Mr. *Carr.*

5054. Compared with other canals is that a high cost of maintenance?—The Grand Junction was reckoned at about 232*l.* per mile.

5055. With regard to the water it was said that upon your canal you had no expense in connection with the water; is that correct?—We have

Mr. *Carr*—continued.

acquired certain mill rights with a view to increasing the draught of water; that stands in our books at about 20,000*l.*

5056. Have you been practically obliged to contract that expenditure in order to keep up the water supply on the canal?—Yes.

5057. And I believe on your canal you are also at very serious expense in the shape of dredging?—Yes; the river is so much subject to freshets that the locks get silted up, and we have to keep the dredgers continually going.

Mr. *Whitehead.*

5058. Is that included in your maintenance of 350*l.*?—Yes.

Sir *William Houldsworth.*

5059. You compared the expense of the maintenance of your canal with that of the Grand Junction. I suppose yours is a wider canal for its whole length?—I am afraid I cannot say.

5060. It may not be a fair comparison?—No.

Mr. *Carr.*

5061. Now as to the Fall Ing end of the canal, for which you ask the Committee to pass the Board of Trade proposals, is that end of the canal a mile and a-half long?—It is about half a mile.

5062. From Fall Ing end to Thorne's Cut how much?—About two miles.

5063. Now will you describe the character of this end of the navigation up to Figure-of-Three Lock?—A boat can bring a weight up to Wakefield equal to 120 tons. Up to Thorne's Lock, where there are the very important works of Messrs. Hodgson and Simpson, a boat can bring up to 105 tons. From there up to Figure-of-Three Lock a boat can take from 80 to 90 tons.

5064. Boats of that large tonnage could not always pass along that portion of the canal. I understand that that portion of the canal has been so improved in order to enable boats of that large tonnage to get up?—Yes, at very considerable expenditure.

5065. It is in that improvement that the expenditure has been made?—Yes.

5066. What expenditure has been made upon that end of the canal, in deepening these locks and broadening them, and in making the cut that was mentioned by my learned friend Mr. Whitehead, in opening the case?—The navigation from Figure-of-Three Lock to Fall Ing Lock has been practically reconstructed. I will go through the figures, if you wish, to show what it cost.

5067. Give the figures to the Committee on that point. What is the total cost?—£93,382.

5068. That is the expense on six and a-quarter miles?—Yes, between Figure-of-Three and Fall Ing Locks.

Sir *William Houldsworth.*

5069. Is that included in the 200,000*l.* spent out of revenue?—Part is out of revenue, and part out of money borrowed.

5070. Partly debenture capital?—Yes.

Mr. *Spicer.*] How much has been included in capital account of this extra expenditure?

Mr.

Mr. *Carr.*] It would come into the 200,000*l.* which you speak of.

Witness.] No. The 200,000*l.* I spoke of did not include certain works carried out during the lease of the Aire and Calder, which lasted from 1865 to 1885.

Mr. *Spicer.*] You said 93,000*l.* had been spent upon this portion of the canal; how much of that has been put to capital?

Mr. *Carr.*] I may give an explanation. There was a certain sale of property of the canal, and the result of the sale was a sum of 19,000*l.*

Witness.] £15,000.

5071. It was spent upon that portion of the canal, and that prevented it simply going into capital account?—About 16,000*l.* has not been included in the capital expenditure.

Sir *William Houldsworth.*

5072. When was the expenditure incurred; when were the works done?—From 1837 to 1841, 1851 and 1852, and between 1880 and 1884, and the last purchase was in 1890. We purchased the Old Mill at Hanbury for the purpose of keeping up the water by acquiring the water rights.

5073. Can you give the proportion of the 93,000*l.* which has been spent upon the improvement of this end, say before 1880. I want to know whether the bulk was spent some time ago or whether it has been since 1880?—There was an actual expenditure between 1837 and 1841 on this particular portion of the navigation of 61,600*l.* odd.

5074. That is two-thirds of the whole amount that you named as being spent between 1837 and 1841?—Yes.

Mr. *Carr.*

5075. You call this end of the canal the Fall Ing end, practically an extension of the Aire and Calder Canal?—Yes, because the locks are wider at that end and larger than they are at the upper portion of the navigation, and there is no doubt but that they were really made to suit the traffic in exchange with the Aire and Calder. At that time the locks would be about the same size as the Aire and Calder, but since then the Aire and Calder have still further increased the size.

Lord *Hawkesbury.*

5076. You have no break of guage as regards the Aire and Calder upon that part of your canal?—Not between Broad Cut, Low Lock and Fall Ing Lock.

Mr. *Carr.*

5077. How does the cost of maintenance on that portion of the canal compare with the receipts. I think you have some figures which you wish to put before the Committee?—I have simply analysed the rates and taxes on that section, and the cost of supervision, but the total cost of maintenance and management I have simply allocated according to mileage upon the sum total for the navigation; but we find as a matter of fact that the cost in respect of rates and taxes and supervision is exceptionally heavy at that end.

Mr. *Carr.*] I will now ask a few questions about the Halifax end of the canal.

Chairman.] I do not think you need trouble about that.

Mr. *Carr.*

5078. Perhaps you would like to say a few words about the Table put in by my learned friend yesterday?—Yes.

5079. Have you got it before you?—No, I have not.

5080. This Table is drawn up to show that there would be a total increase of your maxima over the amount received, both under the Provisional Order Bill and under the Mansion House amendment. In the first Table A. it shows the amount received, 10,000*l.* odd; the Provisional Order Bill would give you, on the supposition of this Table, 14,000*l.*, and the Mansion House amendment, 12,000*l.* odd. I want to ask you whether these amounts would be obtainable?—Certainly not.

5081. Will you explain to the Committee shortly why?—In a great many cases the maximum amount allowed to the Aire and Calder in the Bill which has been sanctioned by Parliament, if exercised, would exceed the actual tolls in operation as between their navigation and a considerable portion of the Calder and Hebble.

5082. In the cases where your present amount received would be reduced; but where on the Tables presumably your amount received would be increased, that amount would not be obtainable, and so you are really credited with an actual loss and credited with a gain which is not obtainable on these Tables?—Yes.

5083. I think you will be able to give certain instances in particular proving that, if my learned friend likes to ask for them on cross-examination. I do not think it is necessary to weary the Committee by putting you through particular instances to prove that?——

Mr. *Whitehead.*] It would be convenient that my learned friend should give an illustration or two. It is not that I cannot ask for it—I can, but he has all the facts before him, and can do it better.

Mr. *Carr.*

5084. (To the *Witness.*) Will you give one or two illustrations; take any you like?—Take the year 1894, the month of March. I find on coal from Calder Grove Colliery to the Elland Gas Works we actually received 21*l.* 16*s.*; under the provisions of the Bill, No. 3, including the bonus distance, that would be reduced to 20*l.* 14*s.* 1*d.*

Mr. *Whitehead.*

5085. What is that distance?—Fifteen and a-quarter miles; that is from Calder Grove to Elland Gasworks. From Calder Grove to Ravensthorpe, a distance of 5¼ miles, we actually received in that month 3*l.* 18*s.* 3*d.*, which would be reduced to 2*l.* 4*s.* 5*d.* From Calder Grove to Canal Mills, a distance of 17½ miles, we actually received 4*l.* 16*s.* 1*d.*; that would be reduced to 4*l.* 2*s.* 4*d.*, including the bonus distance, in Bill No. 3, as proposed by the Board of Trade.

Sir *William Houldsworth.*

5086. And using the maximum power?—Yes.

5087. Is there any bonus distance in any of these instances you have given?—No; but I will give instances which include bonus distances, from Thornhill Combs to Halifax, a distance of 13¼ miles, with a bonus of three-quarters of a mile, the amount would be reduced from 1*l.* 17*s.* 6*d.* to 1*l.* 15*s.* 2*d.*

Mr. *Spicer.*

5088. Can you give us some illustration from the Wakefield end?—I will take stone from Brook Foot to Wakefield, which includes a mile and a-half of bonus distance.

5089. How many miles is the whole distance?—Fifteen and a-half miles, plus a mile and a-half; on stone the amount would be reduced from 15*s.* 6*d.* to 10*s.* 10*d.*

Lord *Hawkesbury.*

5090. That is including the bonus?—Yes.

Mr. *Carr.*] Those are perhaps sufficient instances at present; my learned friend can ask for more if he likes.

Witness.] I can give a stronger case if you will allow me than any I have mentioned. The total coal received off the Aire and Calder for Thorne's Lock, for the year 1892, was 21,546 tons; that traffic has been charged, so far as we are concerned, at 1¾*d.* a ton, that is a mile and a-half.

Mr. *Spicer.*

5091. Does that include any bonus?—The bonus distance will be another mile and a-half, but, including that bonus, we should only receive 1½*d.* a ton instead of 1¾*d.*, a reduction of a farthing a ton on that tonnage of 21,546.

Chairman.

5092. What is the distance?—A mile and a-half, plus a mile and a-half for bonus.

Lord *Herries.*

5093. Have you any through traffic along your canal from the Aire and Calder to Manchester?—Yes.

5094. A large amount?—I think the total tonnage exchanged between the Aire and Calder and the Rochdale Canal for the year would be 35,000 tons, a considerable portion of which would be carried through to Manchester. I cannot say what proportion, but still a fair proportion.

Mr. *Carr.*] I have one or two photographs showing the magnitude of the alterations of this Fall Ing end of the canal, and I will put them in (*handing them in*).

Witness.] They show what an exceptional piece of navigation it is at the Wakefield end.

Mr. *Spicer.*

5095. What would the combined maxima on traffic from the Aire and Calder to Rochdale be?—The maximum of the Aire and Calder and our own would really come to more than the traffic could bear. No traffic could stand the true

Mr. *Spicer*—continued.

maxima. I should like to give some figures with regard to traffic from the Calder and Hebble to the Rochdale Canal. I will take typical commodities actually passing. Gas-water from the Rochdale Canal to Salterhebble, our present tolls would be reduced from 2*d.* a ton to 1*d.* under the proposals of the Bill; grain from the Rochdale Canal to Elland, the toll would be reduced from 3·50*d.* to 2·975*d.*; grain from the Rochdale Canal to Brighouse would be reduced from 6*d.* to 5·525*d.*; cotton from the Rochdale Canal to Elland would remain the same, 3½*d.*; cotton to Brighouse the same, and groceries to Elland and Brighouse the same. Stone from Elland to the Rochdale Canal would be reduced from 3·25*d.* to 1·75*d.*; stone from Brook Foot to the Rochdale Canal would be reduced from 3·25*d.* to 2·875*d.*, but from Brighouse the same article would remain the same, 3¼*d.*

Cross-examined by Mr. *Whitehead.*

5096. I understood you to say that 90 per cent. of your traffic is this through traffic?—I do not recollect saying so; by far the greater portion is through traffic.

5097. When I placed before the Committee the figures relating to that through traffic I was not placing before the Committee something trivial or unimportant to you?—No; I grant that it is important.

5098. Therefore it was scarcely fair to suggest that I had not placed fairly the facts before the Committee when I left out the local traffic?—I think, on the other hand, it is scarcely fair for you to take the proportion of through toll as an argument for our future maximum.

5099. You do not answer my question. I have got to ask you a great many questions, and I ask you not to evade answering them?—I am in the hands of the Committee.

5100. When before the Board of Trade you proposed identically the same tolls as the Board of Trade have given you in the toll column. You asked for ·50*d.* on A. and B. when you came before the Board of Trade?—But then the bonus has always been included with the tolls.

5101. So far as the toll column is concerned, when you came before the Board of Trade you asked for ·50*d.*, ·75*d.*, and so on?—Yes. I should like to explain. The Bonus Distance Clause and the Scale of Tolls stand or fall together. We were wishful to save trouble to the Board of Trade, and we were ready to fall in with any reasonable suggestion, and therefore we thought it might meet the difficulty by putting in a bonus in respect of the more expensive portions of the navigation, with a lower scale of tolls; we considerably reduced the scale of tolls from our first proposal.

5102. In addition to proposing those tolls you proposed a bonus mileage?—Yes.

5103. And the Board of Trade have given you a bonus mileage, but not the same that you asked for?—That is so.

5104. You asked for a little more than you got?—We asked for the distance to extend to Figure-of-Three Lock.

5105. You did not get what you asked for, but you

Mr. *Whitehead*—continued.

you desire to keep what they have given you?—We have agreed to accept the Board of Trade proposal.

5106. In asking the Committee to preserve that bonus mileage you are guided by the same principles as you were going on when you asked the Board of Trade to grant you a bonus mileage and tolls at the end of last year?—Yes.

5107. When we were before the Board of Trade I asked you a great many questions, and in the end I got one or two answers from you, and I will ask you whether you still agree with what you said. I will not take you over all the questions, but at Question 341 I said to you, "What you desire to protect is not the bye-trader but yourselves upon the division of the through rate." And you said, "That is very much the case." I was not content with that, so I followed it up, and I asked you this: "You want to come to this tribunal to obtain from it an increased share of the through rate," and you said "Yes." Now do you still agree to that which you stated before the Board of Trade?—Yes; I would like to add a word by way of explanation. I was not desirous of going into this matter, but I may say that since 1890 we have complained of the very undue proportion the Aire and Calder claimed out of the through rate in respect of the whole of the merchandise traffic coming from Hull or Goole passing over their navigation. They were charging on the 37 miles (though only 31½ miles) a toll of 1*d.* per ton per mile from one end to the other, and giving us for a mile or half-a mile just the same proportion as they were claiming for the whole length.

5108. Now, pass to the Fall Ing Cut; you know the geographical features pretty well; the Fall Ing Cut is a half-a-mile long?—Yes.

5109. What is the distance from the Fall Ing Lock to the terminus at Wakefield?—About half-a-mile, as near as I can reckon it; I am speaking from memory.

5110. If it does happen that the Fall Ing Cut is longer than the old route to the terminus at Wakefield, in respect of any traffic which passed first over the Aire and Calder and then over the Calder and Hebble on the new route, you would obtain a larger charging power so far as mileage is concerned?—I do not follow you.

5111. If the Fall Ing Cut is longer, as I suggest, than the old route into Wakefield, instead of having, we will say——?—I am not aware of any alternative route from Fall Ing Lock to Wakefield, except the present route; the route remains the same.

5112. Before the Fall Ing Cut was made how did traffic which came up the Aire and Calder pass on to the Calder and Hebble?—You must be speaking of a very long time ago. I can only say that it used to travel up the Wakefield Old Cut, but the state of things is so altered that you cannot form any idea of what the old state of things was.

5113. If that Fall Ing Cut is longer than the old cut, when this new cut was constructed you got a longer charging distance than before?—No; there is no difference; that is my opinion; the other way is very circuitous.

5114. You said to the Committee you are not here to protect the bye-traders, and with that I agree?—I did not say that; we are protecting our own interests. I am afraid those are paramount.

5115. You assent to this: that the trader does not care who it is who obtains the tolls; what he is interested in is the quantum of the toll?—Yes.

5116. The question which affects the trader is the quantum, and not the person into whose pocket it goes?—The trader has never had any cognisance of how the tolls have been apportioned; he pays from one point to the other, but there is nothing to show in any of the papers he receives how that amount is allocated.

5117. If traffic passes from the Aire and Calder on to the Calder and Hebble and on to the Huddersfield Canal, it becomes subjected, of course, to three sets of charges—the Aire and Calder, the Calder and Hebble, and the Huddersfield Canal?—Yes.

5118. When the Huddersfield Canal was before the Board of Trade you put in certain figures which I have before me. I will take an illustration from Class C.; that is an important class of traffic passing on your canal; it is a perfectly fair case to take?—Yes.

5119. Will you follow me in this—this is a Table of your own—grain passing from Hull and Goole to Deighton, the total tonnage for one month, February 1893, was 461 tons 10 cwt.?—Yes.

5120. The amount paid by the traders was 80*l.* 15*s.* 3*d.*?—Yes.

5121. Out of that sum the Aire and Calder received, when you divided up the through-tolls, 51*l.* 8*s.* 9*d.*?—Yes.

5122. You received 17*l.* 15*s.* 9*d.*, and the remainder went to the Huddersfield Canal?—Yes.

5123. The Aire and Calder's proportion of that, under their tolls, you informed the Board of Trade, was reduced from 51*l.* 8*s.* 9*d.* to a maximum of 41*l.* 15*s.* 6*d.*?—Possibly.

5124. So upon that portion of the route the trader gets the benefit on that set of consignments of 10*l.*?—Yes.

5125. Now turn to the other end of the route, on the Huddersfield Canal this Committee has reduced the charging power of the company?—Yes.

5126. And, therefore, on that portion of the route also the trader will get a certain reduction. I may put it that experience has shown that the traffic will bear a total toll of 80*l.* 15*s.* 3*d.*?—Possibly.

5127. These are your own figures. If Parliament grants to you any margin over your existing charge on grain what is there to prevent you raising it up to the maximum, provided the trader does not have to pay more than that 80*l*; what is there to prevent it?—There is nothing to prevent us exacting our maximum. With regard to the Huddersfield Canal, it was pointed out at the Board of Trade Inquiry——

Chairman.] We are getting rather wide; we are travelling now to the Huddersfield Canal, and to the Inquiry before the Board of Trade.

Mr. *Whitehead.*] I use these Tables because they are the witness's own Tables——

Chairman.] We are on the Calder and Hebble.

Mr. *Whitehead.*] Whereas, at the present time, out of a total payment by the traders of 80*l.* he receives 17*l.*, he has now told the Committee that if you give him a margin over his existing charge there will be nothing under existing circumstances to prevent him putting that into force.

Witness.] I said there was nothing to prevent us exercising our maximum powers, whatever they were.

Chairman.] It is clear there is nothing to prevent them from charging their maximum; the question is whether they can get it.

Mr. *Whitehead.*] He says upon that traffic they can get it.

Witness.] No; I said I would take your figures.

Sir *William Houldsworth.*

5128. The question I understand to be this: could you charge a higher rate than at present, of course within your maximum, without increasing the total amount of the through rate to the trader?—Possibly we could.

Mr. *Whitehead.*

5129. I have taken one illustration from your Table. I will now take the aggregate. On that traffic in that one month, taking all classes of traffic, the traders paid 531*l.* (these are your figures), out of which the Aire and Calder received 312*l.*; in future the Aire and Calder will only be able to get, if they charge their maximum, 271*l.* Now, if the traffic can bear that charge of 531*l.*, what is to prevent you from putting into your own pockets that extra 40*l.* or 50*l.* that the trader might be called on to pay?—I can only repeat what I said before; we should have the right to exercise our maximum powers whatever they might be.

5130. It has been suggested that the trader can go to the Railway Commissioners?—Yes.

5131. Suppose a trader pays altogether on the through toll 100*l.* year, and he thinks he ought only to be charged 75*l.*, and there ought to be a reduction; do you think the trader, in order to save himself from paying 25*l.* a year, would go to an expenditure of, perhaps, 1,000*l.* before the Railway Commissioners, even if he turned out to be right?—That is quite hypothetical; I am not.

Chairman.] He cannot tell you what a trader would be likely to do under those circumstances.

Mr. *Whitehead.*] It has been suggested that if you fix the maximum bonus mileage, if we are aggrieved by it, in any case on the through toll, we can go to the Railway Commissioners.

Mr. *Carr.*] Who are you?

Mr. *Whitehead.*] The trader. It is suggested that the traders can go to the Railway Commissioners under the Act of 1888, and I ask him whether he thinks it likely that a trader would go before the Railway Commissioners in such a case.

Chairman. We do not want his opinion upon that; we are as competent to judge upon that as he is. What I want you to give your attention to is bonus mileage.

Mr. *Whitehead.*

5132. Yes, your Grace. (To the *Witness.*) You have told the Committee already that this canal was leased to the Aire and Calder from the year 1865 to the year 1885?—Yes, I think so.

5133. I think I remember that under that lease there was a clause by which the Aire and Calder had a certain option of purchase?—Yes, I believe so.

5134. Under that lease for 20 years the Aire and Calder paid to the shareholders of this company a dividend of 8 per cent.?—Yes.

5135. Suppose the Aire and Calder offered the Calder and Hebble a large price for their canal; I take it, it is possible the canal might be bought by that company?—It is not a question that I am in a position to answer.

Chairman.] I do not think that is a proper question to put.

Mr. *Whitehead.*] If that company were bought by the Aire and Calder you would have the whole of this route in one hand.

Chairman.] Of course that is so. If the two things are put into one, they would be one.

Mr. *Whitehead.*] And you would have this company, which you look upon as an iniquitous company, so far as I understand——

Chairman.] I did not understand him to say that.

Mr. *Whitehead.*

5136. You would have this company capable of charging these full maximum rates?—I do not see that that requires an answer.

Chairman.] Of course they can charge the maximum rate granted by Act of Parliament; whether they will do it or not is another thing.

Mr. *Whitehead.*

5137. Now let me look at your Tables. You have given certain figures to the Committee, and you said there would be upon your local traffic an actual loss if you do not get the bonus mileage of 544*l.*?—Yes.

5138. And if you do get the bonus mileage what would be the loss?—If we do get the bonus mileage I take as a typical month, March, that is about 400*l.* a year, 35*l.* for the month.

5139. It only makes a difference of 100*l.* a year to you, the difference between getting the bonus mileage and not getting it?—Taking those figures.

5140. There you experience an actual loss, you say. Have you set against it your actual gains on the through traffic?—I am not aware of any actual gains. I have told the Committee, according to the calculations I prepared, that unless the Aire and Calder were prepared to accept the through tolls, their maximum would enable them to charge such a figure as would entail us in a loss of another 100*l.* per annum, including the bonus distance.

5141. Take

Mr. *Whitehead*—continued.

5141. Take timber passing from Fall Ing Lock to the double locks at Dewsbury, that is a distance of seven and a-quarter miles?—Yes.

5142. Your existing share of the through toll per ton for that distance is 6·34*d.*?—I do not know what it is; I have not got the information.

5143. You are the traffic manager?—Yes.

5144. That figure must be ascertainable?—If you ask how the present toll will compare with the future through toll, taking both maxima combined, I shall be in a position to answer you.

5145. What is the present through toll on timber from Goole to the double locks at Dewsbury?—During the year 1890, 2,595 tons passed at Dewsbury, upon which tolls were paid amounting to 435*l.* 5*s.* 6*d.*, and under the proposals of Bill No. 3, and the tolls already granted for the Aire and Calder, that amount would be 323*l.* 14*s.*, or an actual decrease in favour of the trader of 111*l.* 11*s.* 6*d.*

5146. Where does that decrease in favour of the trader come in; does it come upon your system or that of the Aire and Calder?—I am not prepared to go into the question of apportionment.

5147. Now come to the Wakefield end; you gave a figure to the Committee about your short-distance traffic; you said out of your total traffic of 541,000 tons a certain portion, 74,000 tons, went half-a-mile?—Yes.

5148. You have got the figure before you?—Yes.

5149. Can you split up the figure of 74,000 tons and tell me how much of that is at the Wakefield end, for that is the prominent point?—I may say, speaking from memory, about 70,000 tons. I am not clear.

5150. How much of that next group is between half-a-mile and one mile; you gave the figure of 10,000 tons odd, which goes the distance of half-a-mile to one mile?—I cannot dissect it.

5151. You cannot dissect it to make the figure valuable to the Committee?—We deal with the navigation as a whole.

5152. I deal with the traffic at the Wakefield end, how much of that is referred to in the short-distance traffic that you mentioned?—I mention about 70,000 tons, speaking from memory.

5153. In what class will that chiefly be?—The greater proportion in Class A., coal.

5154. What would be a boatload upon that?—I think I mentioned that about 120 tons can get up to Wakefield as the maximum.

5155. Part of that traffic passing half a-mile would not be in Wakefield itself?—There is practically no traffic between the bottom of the cut at Fall Ing Lock and the top, of the entrance to the river.

5156. Under the Board of Trade Minimum Boat Toll Clause, you can at least charge upon that 5*s.* per boatload?—Yes.

5157. What would be your existing charge upon that?—Do you mean what are we receiving?

5158. Yes?—We are getting 0·50*d.*; it is one of the complaints with reference to the apportionment between us and the Aire and Calder, that we have not had sufficient.

5159. Your company did oppose the Aire and Calder before the Board of Trade when they were asking for the bonus mileage?—Yes.

5160. And you did oppose the Rochdale Canal when they asked for the bonus mileage at the Sowerby Bridge end?—Yes, because we thought they were excessive in both cases.

Re-examined by Mr. *Carr.*

5161. I understand, in your proposals before the Board of Trade, you fixed your tolls at the very lowest figure you possibly could?—We honestly did.

5162. And your only hope was an increase of traffic over your navigation?—We felt that we were handicapped by the charges made by the Huddersfield Canal and the Rochdale Canal, and we thought by establishing a low figure it would have the effect of promoting through traffic, and we should be able to increase the tonnage.

5163. So narrowly did they cut down the tolls that you were obliged at great expense to oppose the Aire and Calder upon their Schedule, because you looked forward to this division of the through rate in the future and your income would be so cut down by the Board of Trade proposal, that to safeguard yourselves you had to look forward to the division of the through rate in the future?—Yes.

5164. And your conduct with regard to the Rochdale was dictated by the same desire?—Yes.

5165. My learned friend Mr. Whitehead has confined his examination almost entirely to the through toll, and particularly affecting the Aire and Calder. Now I would just like to ask one or two questions upon this subject. Taking the amounts paid in through tolls now in existence for traffic passing from the Aire and Calder on to places upon your canal, do you know of any instances in which those through tolls would be increased to the traders?—I quite admit that the maxima combined on low class traffic, take coal for example, is so exceptionally low that if the Aire and Calder exercised their maximum, it would take up the actual through rate in operation.

5166. As an actual fact, would they be increased?—We have no intention whatever to be a party to any increase of the present through tolls.

5167. Because if you were I take it you would lose your traffic?—We say that the traffic cannot stand more than it is doing, and that it would simply result in driving the traffic away if we increased the present tolls.

5168. With regard to the whole question of through tolls, your position is that the traders will not be affected, and if the Aire and Calder or the Rochdale find fault with that division their remedy will be before the Railway Commissioners?—Yes; I do not apprehend that the traders will be affected one iota.

5169. And in many cases the trade will receive lower through rates?—A very tangible reduction in many cases.

5170. I will not ask you to give the cases, because we can call traders to prove the actual reduction upon their own actual traffic; there was a supplementary illustration that you wanted

Mr. *Carr*—continued.

to give when Mr. Whitehead was cross-examining you, is it before your memory?—It was with reference to the Huddersfield Canal. I think his Grace ruled that it was a question I should not go into.

(The Witness is directed to withdraw

MR. WILLIAM HILES, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Carr.*

5171. ARE you Cashier and Agent from Messrs. Hodgson and Simpson, of Calder Soap Works, Wakefield?—Yes.

5172. Are you deputed by them to attend and give evidence upon this occasion?—Yes.

5173. Will you describe to the Committee the position of Messrs. Hodgson and Simpson's works upon the canal?—We are about a mile and a-half from Wakefield, and we get great quantities of stuff up.

5174. Have you examined the proposals of the Board of Trade with regard to the Calder and Hebble Navigation?—Yes, I have.

5175. Do you generally regard these proposals as fair and reasonable?—I think they are very reasonable.

5176. You have a very large amount of traffic passing over the canal?—Yes.

5177. Can you give the figures of your traffic passing over the canal in 1890?—I cannot for 1890 but I can for 1892; it was about 30,000 tons.

5178. With reference to this traffic and the charges proposed to be made, has your firm instructed you to say they are perfectly satisfied with the proposed charges?—Yes, they are perfectly satisfied.

Cross-examined by Mr. *Whitehead.*

5179. You are not the gentleman who will actually pay the tolls?—I am the cashier.

5180. It will not come out of your own pocket?—No, I am their cashier.

5181. When were you deputed by your firm to come and represent their views?—Last week I was at Llandudno and they sent word to me to come and represent them.

5182. Where does that traffic pass from and to?—We get a great lot from Goole.

5183. What articles?—Tallow, oil, resin, and stationery that comes by water to Goole.

5184. It comes to the navigation at Wakefield; where are your works?—About a mile and a-half from them.

Sir *William Houldsworth.*

5185. Whereabouts upon the map?—Thorne's Lock is where our works are.

Mr. *Whitehead.*

5186. Therefore, they will be subject to this charge upon the bonus distance?—Yes.

5187. You come to give evidence upon that point?—Yes.

5188. Do you understand anything about the bonus distance?—No, I do not understand it.

Mr. *Whitehead*—continued.

5189. Do you think your firm understands it?—We understand so much that we should have to pay less money than before, that is plenty for us.

5190. I will tell you what the proposal before the Committee is. Under the Bill all the traffic that comes along the Calder and Hebble Navigation your firm will be liable to be charged for as if the boats traversed three miles?—Yes.

5191. I ask the Committee to make the charge as if it were a mile and a-half; do you follow it?—Yes.

5192. The rate per ton per mile being the same, the effect of doubling the distance will be to double the charge on that bit of the navigation?—Yes.

5193. Suppose I am asking the Committee to make the charge which the Calder and Hebble can demand of your firm just half what they are asking, that would be most advantageous to your firm?—My firm is agreeable to the Calder and Hebble proposals; I cannot say anything about that. My firm instructed me to say that they approve of this.

5194. Do you know the reason why they approve of it?—We shall have less money to pay.

5195. Would you like to have to pay still less?—Yes, but we are agreeable to this as it is.

5196. Your firm is Hodgson and Simpson?—Yes.

5197. Do you know whether your firm signed a memorial to the Board of Trade asking them not to sanction the bonus mileage?—I am not aware that they did myself.

5198. You do not know the reasons now inducing your firm to come before the Committee to ask them to sanction the bonus mileages?—No.

Re-examined by Mr. *Carr.*

5199. It is not necessary for me to ask you any other questions, you come from your firm; they are business people, and they have examined the proposals?——

Chairman.] I do not know that they have. You assume that they have.

Mr. *Carr.*] He comes from them, and he can only say what they want. My learned friend puts in an inuendo.

Chairman.] We do not take any notice of innuendoes; we only deal with the evidence put before us.

[The Witness is directed to withdraw.

Mr. JOHN FOSTER MILNER, is called in; and having been sworn, is Examined, as follows:

Mr. *Carr.*

5200. YOUR trade is that of a miller at Woodside Mills, Elland?—Yes.

5201. You receive a good deal of grain over the canal from Hull and Goole?—I do.

5202. In the year 1893 how many tons of grain did you receive; was it somewhat over 20,000 tons?—Considerably over 20,000 tons.

5203. Do you remember the through toll from Hull to Elland?—Yes, 3*s.* 1*d.*

Mr. *Whitehead.*

5204. What is the distance from Wakefield to your works?—About 17 to 18 miles.

Mr. *Carr.*

5205. Have you examined the proposals of the Board of Trade?—Yes, I have.

5206. Have you calculated out how much the through toll on grain from Hull to your works at Elland will be in future if those proposals are accepted by the Committee?—So far as my place is concerned we have a through toll of 3*s.* 1*d.* from Hull to Elland.

5207. Under the proposal of the Board of Trade, if that proposal was put in force, I believe that it would be slightly more than 3*s.* 1*d.*; would it come out to 37·137*d.*?—I think it would.

5208. Therefore if it was enforced by the two companies there would be an increase upon your traffic of 11*l.* odd?—Yes, it appears to show that.

5209. I believe you have other traffic also coming over the Calder and Hebble Canal; you have traffic coming from Liverpool?—Yes.

5210. And traffic going from Elland to Wakefield?—Yes.

5211. From Elland to Huddersfield, Elland to Dewsbury, and Elland to Ravensthorpe?—Yes.

5212. Have you examined the proposals of the Board of Trade with reference to the amount paid by you at the present time on these varied traffics, and compared it with what it would be under the Board of Trade proposals?—Yes.

5213. Does that show that in every case there would be a decrease of amount?—Yes, in every case.

5214. And that that total decrease would be more than the increase in the case of your traffic coming from Hull to Elland, and that, therefore, there would be a total gain to you as a trader upon the canal?—I do not quite follow what you mean.

5215. On this traffic from Liverpool to Wakefield, to Huddersfield, and to Dewsbury, and to Ravensthorpe, in each case the proposals of the Board of Trade would show a decrease upon the actual amount at present charged?—That is so.

5216. And the total of that decrease would come out as a greater amount than the increase which we spoke of in the first instance; the possible increase that might come on your grain from Hull to Elland?—Per ton you mean?

Mr. *Carr*—continued.

5217. Per ton?—Yes, that is so.

5218. The total decrease of your tolls would be greater in proportion than the proposed increase of your toll or the possible increase of your toll?—Possible increase.

5219. Therefore you are satisfied with the proposals of the Board of Trade?—Yes, to this extent, that with regard to the traffic which we receive from Liverpool, and which we forward to Wakefield, and to Huddersfield, Dewsbury, and Ravensthorpe, I am satisfield to have a reduction made; but I am sure with regard to the tolls from Hull to Elland, whatever is done we shall not have the tolls advanced.

Chairman.

5220. You mean that they will not be made higher than they are at present?—Yes.

5221. Who assured you of that?—One of the canal companies.

Sir *William Houldsworth.*

5222. Which canal company?—The Calder and Hebble.

5223. Are you in favour of a bonus mileage at the Wakefield end?—It is a matter that does not concern me; we have 3*s.* 1*d.* to pay for our tolls. They are perfectly at liberty to allocate the tolls as they like.

5224. As long as the 3*s.* 1*d.* is not raised you do not care whether it is the Calder and Hebble or the Aire and Calder?—That is so.

Cross-examined by Mr. *Whitehead.*

5225. How do you know your tolls will not be raised above the 3*s.* 1*d.*?—I am assured they will not be.

5226. By whom?—The Calder and Hebble.

5227. In writing?—No.

5228. Was that assurance given to you before you agreed to come and give evidence here?—Not at all. I can have the assurance in writing if I like that the amount of the toll will not be advanced from 3*s.* 1*d.* from Hull to Elland.

Chairman.

5229. You have not got it?—No.

Mr. *Whitehead.*

5230. You are in business and you like to make a profit. Suppose my proposal should enable you to make some further profit, would you support it or be against it? Suppose what I ask the Committee to do would put something into your own pocket, naturally you would be satisfied?—Yes.

5231. How much of this 20,000 tons of traffic passes between Elland and Goole or between Goole and Elland, going either way?—Between Hull and Goole and Elland, 20,900 tons.

5232. If I tell you that my proposal, which I ask the Committee to accept, would save you over 100*l.* a year, would you support my proposal?——

Mr. *Balfour Browne.*

5233. I would advise you not to believe my learned friend?—It would not save me that amount.

Mr. *Whitehead.*

5234. Your distance is between 17 and 18 miles from Wakefield?—Yes.

5235. Have you read the Schedule?—Yes.

5236. You know that the bonus mileage increases the two miles at the Wakefield end into four miles?—Yes.

5237. And therefore you will become chargeable as for 19 or 20 miles?—I do not think so at all.

5238. It is an obvious fact?—So far as I understand, our toll will not be advanced above 3*s.* 1*d.*, and the contention is that the Calder and Hebble ask for a bonus on a certain mileage to compensate for the bonus upon a certain mileage that the Aire and Calder has, and consequently, if this Committee grants them the bonus they ask for to make them on the same footing as the Aire and Calder, the tolls between Hull and Elland will not be advanced.

5239. If your 17 miles is changed into 19 miles you will become chargeable for two miles at 0·65*d.* per ton?—I do not think so.

5240. Will you look at the second column and see if you do not see there 0·65*d.* per ton per mile for every mile after the first 10 miles?—Yes; that is so.

5241-2. Under the proposal of the Board of Trade, those two miles added at the Wakefield end will be charged 0·65*d.* per ton per mile for every ton, for the two miles; therefore for every ton of that 20,000 tons you will pay, or may be called upon to pay, 1·30*d.* What I ask the Committee to do is to save you from that 1·30*d.* I have just worked out the sum, and I find it would save you every year over 100*l.*; would you like to save that 100*l.*, or like the Calder and Hebble to have it?—So long as I had the distinct assurance that our tolls will not be advanced——

Mr. *Whitehead*—continued.

Chairman.

5243. First answer the learned Counsel's question whether you would like to have 100*l.* a year?—I should like to have a 100*l.* a year, certainly.

Re-examined by Mr. *Balfour Browne.*

5244. You are content, so long as your present toll is not raised?—Perfectly.

5245. On certain traffic which is carried at local rates, and which goes to Liverpool, and elsewhere, you get a decided reduction under the Schedule?—Yes.

5246. It does not matter, I suppose, to you if your present toll is not raised, whether the amount of your toll goes into the Aire and Calder pocket or into the Calder and Hebble pocket?—Not one iota.

5247. Do you know that these tolls, if they are unreasonable, can be reduced by the Tribunal sitting to determine the tolls?—Yes.

5248. If the Aire and Calder can show that these tolls are unreasonable, they can have them reduced?—Yes.

5249. It would all go to your benefit?—Yes.

The Witness is directed to withdraw.

MR. EDWARD JOHN LLOYD, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Balfour Browne.*

5250. YOU are General Manager and Engineer of the Warwick and Birmingham Canal?—Yes.

5251. You know the Calder and Hebble Navigation, as you told the Committee when giving evidence before?—Yes.

5252. I want to ask you about these bonus tolls. First of all, do you know that end of the Calder and Hebble where it joins the Aire and Calder?—Yes; I know the whole of the navigation intimately.

5253. It may be admitted that the bonus, if we get it, will to some extent affect the question of through rates?—Clearly.

5254. Just as the bonus that the Aire and Calder got upon their aqueduct did affect the question of through rates?—Yes.

5255. Admitting that fully, is it in your view a fair thing that the Calder and Hebble, having taken the lowest scale of tolls, should have an allowance for this bonus mileage?—I think it is. The construction of that portion of the navigation which is covered by the bonus mileage is one of a very costly character.

5256. At the Wakefield end?—Yes.

5257. Is it a fact that as between the Aire and Calder and the Calder and Hebble, the Aire and Calder have a long lead, and the Calder and Hebble a short lead?—The traffic is divided entirely as you say into two, a long and continuous lead for the Aire and Calder from the port, and an exceedingly short distributive lead upon the Calder and Hebble.

Mr. *Balfour Browne*—continued.

5258. Is it also the fact that while the Aire and Calder has for low-class traffic a $\frac{1}{2}d.$ per ton per mile in the original Act, or in the Acts in existence before the Provisional Order, the Calder and Hebble have the power to charge $1\frac{1}{8}d.$?—Yes.

5259. We gave up that power to charge the $1\frac{1}{8}d.$?—Yes.

5260. And only propose to charge a $\frac{1}{2}d.$ in future?—That is the proposal in the Order.

5261. Under these circumstances, and looking at the nature of the navigation at the eastern end of the canal, do you think the proposal of the Board of Trade for a bonus mileage is a reasonable proposal?—I think so. The cost at that end of the canal is very considerable, and if no bonus mileage is allowed a very large proportion of the very short-

Mr. *Balfour Browne*—continued.

short-distance traffic will be carried at an actual loss.

5262. Will that actual loss just enable the Aire and Calder to keep up their tolls?—I do not understand you.

5263. The Aire and Calder run through from Goole to Huddersfield, or somewhere?—Yes.

5264. Will your loss more than enable the Aire and Calder to charge up to their maximum?—Yes; clearly it is a question of division altogether, and in the division of the through rates all the circumstances will be taken into consideration. If the bonus mileage is allowed it increases the proportion leviable by the Calder and Hebble, and proportionally, of course, reduces that chargeable by the Aire and Calder.

5265. Is this fight between the canal company and the traders, or between the two canal companies?—I think there is no question that it is an attempt upon the part of the Aire and Calder to get a larger proportion of the through rate.

5266. Leaving out the Aire and Calder altogether, is it fair that upon the Calder and Hebble itself those tolls should be allowed?—I think clearly so.

5267. If it were entirely independent of the Calder and Hebble are those tolls fair and reasonable?—I think so.

Cross-examined by Mr. *Whitehead.*

5268. When was this excessive expenditure incurred?—A large portion of it many years ago; about two-thirds of the whole.

5269. About the years 1837 to 1841?—Yes, probably so. The expenditure has been going on up to within a comparatively short time ago.

5270. Have you gone into the figures of the actual cost?—I had supplied to me the actual expenditure.

5271. If they have been merely supplied to you I will not ask you for them. As regards the traders, you say it is a struggle between the two canal companies, but I suppose the traders' interests are of importance?—I do not see that it makes the slightest difference to the traders if a through rate is fixed at the amount spoken of over and over again, 3*s.* 1*d.*; the companies between themselves divide that 3*s.* 1*d.*; it will neither be enlarged nor decreased in favour of the trader.

5272. If the trader can decrease the 3*s.* 1*d.* to 2*s.* 11*d.*, that is something in his favour?—Yes; if a man only pays 1*s.* instead of 2*s.* it is in his favour.

5273. Under these circumstances, it is a matter of no importance to the trader how the companies choose to divide the total?—No.

Re-examined by Mr. *Balfour Browne.*

5274. If the trader could get over the Calder and Hebble for nothing at all, so much the better for the trader?—If the trader can get over any canal for nothing, so much the better.

5275. But as a fact, if he can get over it for nothing, does it also enable the Aire and Calder to keep up their rates to the maximum?—Clearly.

Mr. *Balfour Browne.*] I have some other witnesses here, but having regard to what Mr. Lloyd says that it is not a traders' question I will not call any further traders.

Sir *William Houldsworth.*

5276. (To the *Witness.*) Do you know of your own knowledge that large sums have been spent in the last 10 or 15 years on this part of the Canal?—Yes, the whole of that part.

5277. The lower part?—Not within the two miles.

5278. If you have not the knowledge, I do not want you to answer. Of your own knowledge, do you know that large works have been executed within the two miles?—I know that within a moderate number of years a large expenditure has been incurred, but I cannot give the dates.

5279. You mean within the last 30 or 40 years?—Within the last ten years.

Mr. *Balfour Browne.*] I may say that a little bit further up, before you come to the Figure-of-Three, Lock is where we ask the bonus upon, up to the Figure of-Three Lock. The Board of Trade would not give us it.

[The Witness is directed to withdraw.

Mr. *Balfour Browne.*] Before my learned friend addresses you I should like to say a few words, and I shall make them very short, as it is obvious now that this is not really and truly a struggle between the canal company and the traders at all, it is only an attempt upon the part of one canal company to determine beforehand a greater proportion of the through rate. I admitted absolutely and candidly that it was a struggle of the Calder and Hebble when we were upon the Rochdale Canal case. I never tried to dissemble it. I said that if you allow these very high tolls upon the Rochdale, and the bonuses to the Rochdale, it would enable us in the through rates to exact a larger amount. But remember what was being done there. It was not only three bonuses,—a bonus at the Manchester end, a bonus on the summit level, and a bonus upon the Sowerby Bridge end, which the Committee struck out, but also tolls at a very much higher rate. Here we have given up much larger tolls; but we are giving up that power to charge 1½*d.* per ton per mile, and we put ourselves in line with all other canals to this extent, that we propose to charge a halfpenny; that is reducing our powers very largely indeed. You know now that with the reduction of power we shall lose, but will you make us lose more than the Board of Trade say is fair, merely to put it into the hands of the Aire and Calder? The ultimate rate will be the same to the trader whatever you do, but it will determine which pocket it is to go into. You have the evidence that this canal company will, even if it gets the tolls that the Board of Trade allow, made a loss; that loss will go, no doubt, into the pockets of the Aire and Calder, but what the Aire and Calder want is that we should still further make a greater loss, and that that loss should go into their pockets. I ask you to say that this is not a *bonâ fide* opposition on behalf of the traders. Mr. Hunt is instructed by the Mansion House Committee to get evidence; he has failed to

get more than one gentleman, and he had to work out the decimals for him himself. Under these circumstances it is not a *bonâ fide* traders' case. There is no complaint of our tolls. A gentleman comes and says, We are content if we have an assurance that they will not be raised. My learned friend says it will be 100*l.* a year in your pocket; of course the witness wants a hundred a year in his pocket; that goes without saying. I am a modest man myself, but I should have answered that in the affirmative. It is not *bonâ fide* that this should be fought, because the Calder and Hebble are asking very low tolls indeed. We have not got all that we asked from the Board of Trade. I ask your Grace to say that this is a fair and reasonable proposal that no harm will be done, and that you will not at our expense, a comparatively poor corporation, do a great benefit to the Aire and Calder, a comparatively rich one.

Mr. *Whitehead.*] Your Grace, I think every statement I made to the Committee in opening the case yesterday afternoon was proved for me by the evidence of the Calder and Hebble Navigation. I stated to the Committee that the cost of construction which may be a ground for giving a bonus mileage in this case could not apply at all, and I told the Committee that, looking to the canals as a whole, the cost of construction was extremely low. What did Mr. Swindells say? He said, even debiting themselves with the 200,000*l.* they spent out of revenue, the cost was only 15,000*l.* a mile. But upon that 200,000*l.* they are not asking any revenue at all; and I ask you to consider merely so far as the capital expenditure is concerned, the 159,000*l.* which is their actual share capital. If you take that figure you will find that the actual cost per mile of this navigation is between 6,000*l.* and 7,000*l.*; a figure, your Grace, which is extremely low in comparison with every other canal which has been before the Committee. Then a comparison has been drawn by my learned friend with the Rochdale and Bridgewater Canals; but the Committee will remember that when they gave bonus mileages to those two companies they did so upon a part of their navigation which was very expensive. In the case of the Rochdale Canal, they were paying a very heavy rent for the use of the waterway in a very populous district; therefore that part of their system naturally would expect to receive a higher rate per mile; but the Committee will also consider that that capital expenditure was chiefly incurred as long ago as 1841, and they will see that there was no real reason why any bonus mileage should be given at this time in the history of the canal. For years and years, for 20 years, under the lease of the Aire and Calder Company, they received an income of 8 per cent.; even under the Board of Trade Schedule they will get their 4 per cent., and if you give us the bonus mileage you will be giving them the power of earning a further 1 per cent. That is what it represents upon the actual tolls according to our Tables.

It has been suggested that it is merely a question between the Aire and Calder and the Calder and Hebble. But the Committee will remember that every trader who has been called before them has, of course, consented to the proposition that if my amendment to strike out the bonus mileage will put something into his own pocket, he will be glad that that amendment should be carried. That is perfectly self evident, and there is no trader that the company can bring who will not assent to it when I suggest it to him.

The Committee will remember, so far as the cost of water is concerned, that this canal company is in a very exceptional position; that throughout the whole of that length from Sowerby Bridge to Wakefield they have a natural water supply which does not cost them a single penny; that in respect of that water, cheap as it is to them, they actually receive a minimum toll under the minimum toll clause of 5*s.* upon every boatload.

Now, the Committee will remember certain figures which I placed before Mr. Swindells when he was in the box relating to through traffic passing to Huddersfield; I merely took that as a type, but I showed there that under the Aire and Calder Schedule of last Session the trader obtained the benefit of some hundreds of pounds upon that traffic in the course of a single month; I showed also, and Mr. Swindells accepted the proposition, that if you give the trader this maximum power which he acquires under the bonus mileage clause he would be able still to enfore the existing actual toll and put that sum which the trader has saved upon the Aire and Calder Navigation into the coffers of the company. In spite of all that has been said by my learned friend without any evidence in support of it, being merely based upon a series of suggestions that he first threw out in his speech and failed to verify in cross-examination, I say on behalf of the trader I have called before you, and who comes as the representative of important bodies such as the Leeds Chamber of Commerce, strike out this bonus mileage and save to the trader and preserve for him the benefit and advantage which Parliament granted to him last year upon the Aire and Calder.

The Committee deliberate.

Chairman.] The Committee adhere to the proposals of the Board of Trade.

Mr. *Carr.*] There is another short amendment.

Chairman.] Is that opposed?

Mr. *Carr.*] No, I think not; it is the last of the amendments, "page 13, omit Section iv."

Solicitor for the Mansion House Association.] It is opposed by the Mansion House Association.

Mr. *Carr.*] I hear that this amendment is opposed by the Mansion House Association, but it is an amendment wholly affecting the Aire and Calder Navigation; it is to repeal a certain statutory exemption given to the Aire and Calder, and I propose to read the exact words of the section. The Act is the 6th of Geo. IV. c. 17, sect. 65, it is a Calder and Hebble Act: "Provided also and be it further enacted that nothing herein contained shall extend or be construed to extend to authorise or empower the said

said company of Proprietors to charge or receive any tonnage rates or dues upon or in respect of any boat barge or other vessel passing upon their canal from the River Calder below Fall Ing Lock aforesaid to any wharf warehouse or landing place belonging to the Undertakers of the Aire and Calder Navigation which now are or hereafter shall be erected or made in or upon that part of the Fall Ing Lock aforesaid which now belongs to the said Undertakers or in respect of any boat barge or other vessel going from the said Undertakers' wharf at Fall Ing Lock aforesaid to the said river below Fall Ing Lock and which shall come only from the said wharves warehouses or landing-places of the said Undertakers at Fall Ing Lock aforesaid." The exemption applies to certain traffic coming off the Aire and Calder Canal if it passes to certain warehouses belonging to or situate on land belonging to the Aire and Calder at Fall Ing.

Lord *Clifford of Chudleigh.*] Belonging to the Aire and Calder at the time of the passing of the Act?

Mr. *Carr.*] The Act was passed in 1825, and we say that the circumstances have entirely altered since the passing of that Act. Some consideration may have been given originally by the Aire and Calder (we do not know that any such consideration was given by the Aire and Calder); but if any such consideration was, in the first place, given, we say that long since it has been paid back to them by the exemption that has been running this long period of time. During the past 20 years the traffic coming from the Aire and Calder Company has doubled in amount since 1825. I have no doubt that traffic will have quadrupled in amount; and, therefore, we submit to the Committee that the circumstances now are altogether different to what they were when that exemption was given to the Aire and Calder Company. Our second point is that that exemption is not at the present moment made use of. The Aire and Calder Company do not possess warehouses of their own; bordering on our canal they rent certain warehouses from the Calder and Hebble Company. They have, true enough, certain land on the canal, and wharves to which this exemption under the Act of 1825 does apply, but at present they do not make use of it, because they prefer to rent these warehouses from us. They only want a continuance of that exemption in order that they may hold it as a stick over our backs, in case the two companies fall out, as a means of putting pressure upon us. If we do not satisfy them on some other point (and there are many other points of contest between the two companies), they might perchance, if the exemption was not taken away, remove their warehouses to their land which is situated on Fall Ing Lock, which would give them the exemption on, say, 14,000 or 15,000 tons of traffic. We submit that that would be unfair, and a very great hardship to the traders on the canal, because it would put them at an obvious disadvantage. At the present moment the exemption is made use of to the extent of some 3,000 to 4,000 tons a year of traffic passing actually to the wharves belonging to the Aire and Calder Company at Fall Ing. Those wharves naturally pay an increased rent owing to this advantage of freedom from toll that they possess, and we ask the Committee not to put this money as a pure gift into the pockets of the Aire and Calder Company, for it affords benefit to no other person. It is not a question in which the traders are concerned. My learned friend Mr. Whitehead represents the traders, but he has no right to be heard upon this, because it is a question affecting only the Aire and Calder and the Calder and Hebble, and is not a question affecting the trader.

Chairman.] As I understand, this Sub-section iv. is to keep alive the Exemption Clause in the 6th of George IV., c. 17.

Mr. *Carr.*] That is so.

Mr. HENRY PRICE SWINDELLS, is called again.

Mr. *Carr.*

5280. You have heard what I have said on the subject of this exemption?—Yes.

5281. Will you point out to the Committee the exact position on your canal, that is to say, the Calder and Hebble, of the land and wharves now belonging to the Aire and Calder company?——

Sir *William Houldsworth.*

5282. Are they on the side of the cut?—On the left hand side of the cut, immediately above the lock, on the left-hand side coming from Goole.

Mr. *Carr.*

5283. This land and these wharves already belonging to the Aire and Calder are let by the Aire and Calder?—They are not used by the Aire and Calder themselves; they are the owners of the property, but they let it to tenants, and the traffic in question, which is at present

Mr. *Carr*—continued.

exempt from toll, is such as sand, and manure, and coal—nothing else. At that particular point we have to have a lock-keeper who is paid about 60*l.* a year, and we find him an office and house, and pay the rates and taxes. He has the supervision entirely of opening and shutting of these gates, which would pass the traffic through. This particular lock has also cost us about 10,000*l.* We cannot see that the circumstances of to-day, whatever they may have been in 1825, warrant the Aire and Calder having this exemption, especially as the Aire and Calder do not use the wharves in the sense in which it was contemplated that they would be used.

Sir *William Houldsworth.*

5284. Do I understand that the Aire and Calder let this property?—Yes, they let it to tenants.

5285. What do the tenants do?—They simply

Sir *William Houldsworth*—continued.

have sand or manure or coal landed there for their own use.

5286. But do they carry these things away?—If they land goods there they can pass them into the town of Wakefield, for what we know.

Lord *Clifford of Chudleigh.*

5287. How far is this land from the Aire and Calder's own canal?—It is comparatively a few yards from the junction.

Sir *William Houldsworth.*

5288. Are these people merchants?—No; one man is a coal merchant, another deals in sand; no doubt these tolls are taken into consideration in the letting.

5289. Was it a wharf before you made your cut?—I could not say.

Mr. *Spicer.*

5290. Have you any record of what the consideration given at the time was?—None whatever; there must have been some consideration.

Sir *William Houldsworth.*

5291. Have you any idea whether this wharf was for the purpose of transhipment?—I think it was with the view of holding a weapon in reserve for us.

5292. For transhipment purposes you do not think it would be required, even in old days?—They would have to build special premises for the purpose.

5293. I was thinking that the origin of it might have been that the Aire and Calder Company landed their goods there and transhipped them into narrower boats?—I could not say whether that was so.

Cross-examined by Mr. *Whitehead.*

5294. There is a considerable quantity of traffic coming that short distance from the Aire and Calder; some 14,000 tons?—About that; their own traffic.

5295. That comes from the Aire and Calder to warehouses which the Aire and Calder at present rent from the Calder and Hebble?—Yes.

5296. There is a very considerable amount of traffic carried by bye-traders for a similar short distance on the canal?—Yes, but it is chiefly for waterside premises.

5297. How much would there be; there would be considerably more than 14,000 tons?—Yes.

5298. You think that, presuming the Aire and Calder Company were in a position to put in force this exemption from tolls, it would be an undue preference in their favour?—Yes.

5299. And very hard on the bye-traders?—Yes; the Aire and Calder, as carriers, will be exempt from toll on one side of the cut. If another man landed his goods on the other side he would have to pay his toll.

5300. At present this exemption is not being fully made use of, and you wish it to be abolished in order that it may not be held as a weapon over the heads of the Calder and Hebble in order to put pressure upon them in other respects?—Yes; especially when I call to mind a statement submitted before the Board of Trade that the Aire

Mr. *Whitehead*—continued.

and Calder proportion of receipts amounted to about 6,832*l.*, and the entire amount we received on the same traffic was 382*l.* We think they have got sufficient consideration already, without retaining what we consider an obsolete clause.

Mr. *Carr.*] My learned friend has no right to cross-examine; he does not appear for the Calder and Hebble.

Mr. *Whitehead.*] I appear for the Mansion House Association.

Chairman.] I do not think you have a *locus standi.*

Mr. *Whitehead.*] There is a trader on this very wharf affected who receives between 3,000 and 4,000 tons a year.

Mr. *Carr.*] This is a matter between the Aire and Calder and the Calder and Hebble.

Mr. *Whitehead.*] I should have thought a trader on that wharf, who has used the wharf since the creation of the privilege, was entitled to be heard.

Mr. *Carr.*] The trader is only a tenant.

Mr. *Whitehead.*] Yes, but he uses the privilege.

Mr. *Balfour Browne.*] A tenant on the other side would have to pay the full toll. The traders are not here. My learned friend Mr. Whitehead says that if the Aire and Calder gets the benefit the trader would get the benefit.

Mr. *Whitehead.*] I represent here the Mansion House Association, a large body of traders. I understand this gentleman, who is personally affected by the question before the Committee, is not here in person, but I am instructed by this body of traders to endeavour to induce the Committee to leave this Schedule in this respect as it has been settled by the Board of Trade in the interests of the traders.

Lord *Clifford of Chudleigh.*] I understand your trader, who is the tenant of the Aire and Calder, has not petitioned in person.

Mr. *Whitehead.*] That is so.

Chairman.] Then how can you appear for a gentleman who has not petitioned.

Mr. *Whitehead.*] I state the facts to the Committee, on the mere question of *locus* I cannot put it clearer than that; if a trader who is interested to the extent of 3,000 or 4,000 tons cannot be heard, so let it be.

Chairman.] He could be heard if he had petitioned, but he has not petitioned.

Mr. *Whitehead.*] As representing a body of traders, I ask the Committee to hear their case.

Chairman.] We think we cannot hear Mr. Whitehead. Now we have to decide whether we will accept the amendment.

Mr. *Pelham.*] I have only this to say on behalf of the Board of Trade, that the principle adopted in these Schedules was that wherever an exemption was claimed where it was in force the Board of Trade put it in. They thought that these exemptions having been imposed by Parliament,

ment, if removed, they should be removed by Parliament and not by the Board of Trade.

The Committee deliberate.

Chairman.] We do not accept this amendment, and therefore Sub-section iv. remains in the Bill.

(Erewash Canal.)

The following Petitions against the Order are read :

The Petition of the Company of Proprietors of the Erewash Canal.

Messrs. *Durnford and Company* appear as Agents in support of the Petition.

The Petition of Earl Stanhope against Alterations.

Mr. *Forbes Lankester* appears as Counsel in support of the Petition.

Messrs. *Sherwood and Company* appear as Agents.

Mr. *Soutter.*] I appear for the company of proprietors of the Erewash Canal, the owners of the canal. We are the only Petitioners before the Committee who have an amendment of the Schedule.

Chairman.] There is the Mining Association.

Mr. *Soutter.*] They are withdrawn. The first and third are withdrawn. There is a second amendment. Page 20, leave out lines 1 to 9. That is the clause which proposes to continue certain exemptions in the old Act of 1777, by which the company was incorporated, and under which this canal was made. The canal is a short canal of about 12 miles in length; it consists of an artificial cut with, I believe, 14 locks, and it runs from the River Trent near the parish of Sawley, and terminates at a place called Langley Bridge on the borders of the counties of Nottingham and Derbyshire; it there forms a connection with the Cromford Canal owned by the Midland Railway Company. The Committee dealt with that case a few days ago. Then near the junction of the Cromford Canal the Nottingham Canal comes in, and the two form a continuation of the Erewash Canal. Then there is another short canal coming into it, called the Cromford Canal, and the Derby Canal also. The company do not act as carriers; they pay 100*l.* a-year for water, and they pay a wayleave to the adjoining landowners and millowners on the River Erewash. The canal is quite independent of any railway company, and the tolls and charges are regulated by the original Act; but, as a matter of fact, the actual tolls are determined by the competition with the Midland Railway Company. The Midland Railway runs alongside this canal throughout its entire length, and that competition settles the rates and tolls, which are as low, perhaps, as it is possible for them to be, and make it a paying concern. The company has realised that if it is to continue as a canal at all it can be only by attracting traffic and maintaining low tolls throughout, and they have been always ready to listen to a proposal by the traders to give a low quotation; but the process has been for the trader to get low quotations from the canal company and use those as a cover to get better rates from the railway company.

This canal is not at all favourably placed for through traffic, because the high tolls on the Cromford Canal, which has been continued by this Committee, act as a sort of bar to any traffic coming to or from the Cromford Canal; and, as a matter of fact, there is very little interchange of traffic between the two canals. This canal is a very expensive waterway to maintain. It runs through a populous and a mineral district.

Mr. *Forbes Lankester.*] It is simply a question whether there shall be maintained, as proposed by the Board of Trade, the exemptions in favour of adjoining parishes for road stone carried along the canal; that is the whole question. I am in favour of maintaining the exemption; my learned friend wants the exemption abolished.

Chairman.] That is the only question; we had better confine ourselves to that point.

Mr. *Soutter.*] I will only say the revised Schedule of the Board of Trade will reduce our income by 12 per cent.

Chairman.] The question now is whether these exemptions shall, or shall not, be maintained.

Mr. *Soutter.*] The Act of 1777 contains a provision exempting from tolls road materials, similar to the provisions before you in the case of the Nottingham and Grantham canals. In that case the Committee decided to strike out the clause continuing the exemptions. There is a similar clause here for continuing the exemptions subject to some slight modification. The clause is at the top of page 20 of the Bill.

The only petition before the Committee besides the company's is that of the Earl Stanhope, and he seeks to maintain this exemption. I do not know what his interest in this question is.

Mr. *Forbes Lankester.*] I appear for the Earl Stanhope against amendments, and, therefore, in support of the Board of Trade proposals.

Mr. *Soutter.*] I do not see what Lord Stanhope's interest in this question is. He does not show any interest in his Petition. The exemption is only in favour of road material, and I understand that Lord Stanhope sends no road material.

Mr. *Forbes Lankester.*] The Stanton Ironworks belong to him.

Mr. *Soutter.*] You do not show in your Petition any interest of any kind. You do not send any road material over our canal, and if you do there is no exemption at the present time, and toll is paid for all materials. I will draw attention to the Petition of the Earl. Your Grace has the Petition before you. The first material paragraph is paragraph 3: "Amongst the canals and navigations named in the said Schedule are the Erewash Canal and the Nutbrook Canal, in both of which your Petitioner is interested, as hereinafter stated. (4.) The Erewash Canal was constructed under the authority of an Act of Parliament passed in the year 1777. This Act contained a clause providing for certain exemptions from tolls, and your Petitioner, through whose property the canal was constructed, appeared before the Board of Trade on their Inquiry on the Provisional Order, with a view to maintaining these exemptions, and the Provisional Order, as proposed to be confirmed by the Bill, maintains the same so far as the exemptions relate to gravel, stone, and other materials to be used for the making or repairing any public road in any parish adjoining the canal."

Mr. *Forbes Lankester.*] Earl Stanhope is owner of the Stanton Ironworks.

Chairman.] We will hear you directly.

Mr. *Forbes Lankester.*] It may not have been fully set out in the Petition.

Chairman.] The question is whether the exemptions for this road material of Lord Stanhope's property should be maintained?

Mr. *Soutter.*] I draw attention to the eighth paragraph raising the question, and you see the Petition says, "It is of great importance to your petitioner and his tenants that these exemptions should be maintained." The exemption is only in favour of the road authorities. His Lordship is a private individual, and I may say that Lord Stanhope appeared before the Commissioner to ask that these exemptions should be continued. I see that the Commissioner stated, "I should always rather prefer to hear these claims for exemption by the people in whose favour they were originally granted, namely, the highway authority, rather than by the trader who produces the material. I quite agree with what is said in that letter, that the exemption was never intended to be for the benefit of producers of stone. (Mr. *Forbes Lankester.*) Of course it really comes out of the pocket of the highway authority in the long run; they are the persons who really have to pay it. (The *Commissioner.*) I daresay they do not care; they may say if we did not have that exemption we could not get it from somebody else. The probability is that the exemptions in some form or other will have to maintained, though there are, I think, a great many grounds on which they ought to be abolished, but I do not know that this is a very convenient time for doing it. I must say that I do not atttach any weight to the traders who produce the material: I do not think it was ever intended that they should have carriage free. (Mr. *Forbes Lankester.*) Of course I agree that, so far as it is a benefit to the trader himself, no such benefit was intended by the Act of Parliament. The benefit intended was to the highway authority, no doubt; ultimately, of course, the highway authority does benefit by the existence of the exemptions." There is no highway authority before the Committee asking for the exemption to be continued, and I shall have to ask the Committee whether Lord Stanhope has any such interest here as entitles him to come and ask for this exempton.

Chairman.] No doubt his tenants benefit by the roads.

Mr. *Forbes Lankester.*] I have the highway authorities here.

Mr. *Soutter.*] It is not necessary for me to say more upon the matter. I will call a witness to tell your Grace that Lord Stanhope at the present time sends no road material over the canal, and that the road material which does go over the canal is not at present exempt from toll, and that toll is charged upon it. If your Grace wishes to hear a witness——

Chairman.] It is for you to say whether we are to hear the witness.

MR. GEORGE HENRY WOOLLEY, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Soutter.*

5301. You are the acting clerk to the canal company?—Yes, I am. My father is the clerk, but I assist him, and practically am acting in the business entirely.

5302. You keep the books and accounts?—We have all accounts brought in to us weekly, and I have been through all the books, and I am personally acquainted with the details of them.

5303. Is there much road material carried over the canal at the present time?—So far as I know the material is not distinguishable as road material, except for the purposes of exemption. There is no possible exemption unless it is road material, therefore we do not know unless an exemption is claimed that it is for that purpose. The only material that is used that I am aware

Mr. *Soutter*—continued.

of is Mount Sorrel granite-stone, and slag, the refuse from the ironworks, which no doubt would be material in which the Stanton Ironworks are interested.

5304. Do they claim the exemption at the present time?—The Stanton Ironworks have always paid a toll. They did some years ago raise a question upon a clause in the Act. The company did not consider the meaning of the clause quite clear. It is open to contention that there is no exemption under the clause; but we came to a compromise with them, and they have paid a low toll for certain traffic, but for the bulk of the traffic they pay full toll like anyone else.

5305. To what amount of tonnage does the lower

Mr. *Soutter*—continued.

lower toll apply; on how much tonnage do they pay at the low toll?—The rate I refer to as a compromise rate was a penny a ton.

Chairman.

5306. For what article?—Cinders. I deal entirely with the slag and refuse from the ironworks.

Sir *William Houldsworth.*

5307. A penny per ton per mile?—No; a penny per ton for any distance whatever the distance was upon the canal. The ironworks are situated upon the middle of the canal, which is about 12 miles long; they are five or six miles from each end.

Chairman.

5308. What was the matter in dispute?—They got hold of the Act of Parliament, and they maintained that they were entitled to exemption. We said they were not.

5309. What did they claim to be exempt for?—For carrying materia for the making and repair of roads.

5310. What is the material?—They alleged that the slag is for making and repairing roads, but that was not the difference; the difference as to the wording is whether they were entitled to exemption at all. An exemption is an exception. The Act says, you shall charge for this and you shall charge for that, and then it says, "except road materials."

Mr. *Forbes Lankester.*] May I read the clause?

Chairman.] Yes.

Mr. *Forbes Lankester.*] There is a clause with a marginal note "Tonnage Rates." That is the only power they have to charge rates at all. Then it proceeds in the form of the old clause, which is common form. "And, for making a provision for obtaining the good end sand purposes hereinbefore mentioned. Be it further enacted by the authority aforesaid, That at such place and places upon or adjoining to the said cut or canal, or trenches, and in such manner, and under such regulations as the said company of proprietors by any instrument in writing under their seal, shall direct and appoint, there shall be paid for tonnage for all goods, wares, merchandise, commodities, or other things whatsoever, which shall be navigated, carried, or conveyed up or down, or in, along, or upon the said cut or canal, to the collector or collectors to be nominated by virtue of this Act, by all and every person and persons who shall so navigate, carry, or convey any such goods, wares, merchandise, commodities, or other things whatsoever, such sum or sums of money for the several rates or duties thereof, over and above what shall or may be paid for the freight or carriage thereof, as the said company of proprietors shall from time to time think fit and proper to appoint, not exceeding the several rates or duties hereinafter mentioned, (that is to say); For every quarter of wheat, rye, beans, or pease, the sum of sixpence; for every quarter of malt the sum of fourpence; for every quarter of barley or other grain, not before enumerated, the sum of fivepence, and so in proportion for any greater or less quantities of the grain and commodities aforesaid; for every ton of coal and coke, the sum of one shilling and sixpence; for every ton of slate, the sum of sixpence; for every ton of goods, wares, merchandise, commodities, and other matters and things whatsoever, not before specified, except gravel, stone, and other materials to be used for the making or repairing any public roads or ways, the sum of two shillings." Your Grace sees that the only powers to charge at all are those granted by this Act of Parliament, and in this Act of Parliament and in that clause there is specially excepted any power to charge for gravel, stone, or other materials to be used for the making or repairing any public roads or ways. Perhaps it would be convenient to call your Grace's attention also to the exemption from rating upon the canal. The parishes benefit by the carriage of stone and materials for road-making free of toll. There is an exemption which enacts that "the said rates or duties shall at all times hereinafter be exempted from the payment of any taxes, rates, assessments, or impositions whatsoever, any law or statute made or to be made to the contrary hereof notwithstanding." What we say is that they are reciprocal considerations, freedom from rates, and exempting from charge road materials.

Witness.] The exemption includes, not only the parishes upon the canal, but it is an exception as wheat is in the case of the Great Northern Railways.

Chairman.] The question is whether slag is a material used for repairing roads?

Witness.] That is not the question before this Committee.

Mr. *Forbes Lankester.*] It was not material used for that purpose at the time that Act was passed.

Witness.] Our contention is that it is desirable that these exemptions should be done away with, as they have been done away with on the Great Northern Railway Canals running parallel with our canal for half the distance. We are in the exactly similar position. What was originally contested by the Stanton Ironworks was the question your Grace suggested. It does not say that road materials shall go free, but it says we shall have power to charge, and it does not say what is to be done with the road material. These are the only grounds for compromise as affecting the existing position, which is that we do charge for all slag going by the canal, and do not charge less than 1*d.* per ton in any case.

Mr. *Soutter.*

5311. How long have the Stanton Ironworks been made?—I cannot say that.

5312. Have they been made 50 years?—No, not 50 years.

Sir *Richard Paget.*

5313. Are the exemptions in force with regard to stone and gravel?—Everything which comes along the canal does, as a matter of fact, pay; in the one instance of road stone, the Mount Sorrel Granite Company being the people sending the material,—we have had to make arrangements with them to return the toll under certain conditions; but, as a matter of fact, our toll-takers take money for everything that passes.

Sir *William Houldsworth.*

5314. But you return it?—In that particular case, and since 1888, we have an arrangement with them.

5315. You return the whole amount?—If they prove it is for road material; and the average amount in their particular case is only 5*l.* or 6*l.*

Sir *Richard Paget.*

5316-7. That exemption is now asked for by them, and conceded by you in consequence of the exemptions of the Act?—It is under the Act that we have given the exemption they asked, but we are a poor company and cannot afford to litigate the matter, and it is much better to pay 5*l.* or 6*l.* a year, even if they are not entitled to it, than litigate.

Mr. *Soutter.*

5318. How long ago is it since the Mount Sorrel Company claimed this?—In the year 1888. Since then we have returned the money.

5319. They claimed the exemption in the case of the Nottingham and Grantham Canal?—They did not appear before this Committee, but they were the company which was mentioned as doing the principal amount of traffic free.

5320. I should have said before the Board of Trade?—I do not know what took place before the Board of Trade on the Nottingham Canal; they appeared against us.

5321. They appeared before the Board of Trade in this case?—Yes.

5322. And they have not appeared here to-day?—No.

5323. They are not here to ask for the exemption to be continued?—No, and we have made no arrangement with them, and we mean to dispute any exemption they have. I am speaking of the Mount Sorrel Granite Company.

Mr. *Soutter.*] I have a difficulty in conducting my case, because I do not know who is behind my learned friend.

Mr. *Forbes Lankester.*] The parish authorities are behind me.

Mr. *Soutter.*] Then I shall object to the local authorities being heard; they are not here; they are not covered by this petition. The petition is only for Earl Stanhope and his tenants, and the local authorities are not tenants of his Lordship.

Witness.] If I knew any particular people who were being dealt with I could say how it would affect them.

Cross-examined by Mr. *Forbes Lankester.*

5324. Are you a lawyer?—Yes.

5325. Have you advised your body of proprietors that there is no exemption for stone and materials for making roads?—In the Act, do you mean?

5326. Have you advised your body of proprietors that they can charge a toll under that Act of Parliament for stone and road material?—No, I have not.

5327. Have you not advised them that there is an exemption, and that they cannot charge for it under this Act of Parliament?—I advised them that we might maintain that slag was not road material; but the weight of evidence shows that we have decided to make concessions.

Mr. *Forbes Lankester*—continued.

5328. That the slag was in fact being used as you knew for road materials, and you thought they might fight upon the ground that it might be contended it was not so used?—It might have been contended that it was not the road material contemplated when the Act was passed.

5329. Upon that ground you advised them that they might possibly make a charge?—No, I do not think we went so far as to say they could make a charge; we advised them that they had better not.

Chairman.] For whom do you appear?

Mr. *Forbes Lankester.*

5330. Lord Stanhope and his tenants. (To the *Witness.*) As a matter of fact a large quantity of slag and cinders is sent from the Stanton Ironworks, down the canal and up the canal, for the purpose of repairing the roads along the canal?—If your clients say it was sent up, I should say it was not sent up. It does pass over the canal.

5331. And for the purpose of making roads?—That I do not know. The people do not declare it.

5332. You may not have official knowledge. Do not you, in fact, know that the material is used for the purpose of making roads?—Personally I do not. I believe it is; we do not live near the place. We live 12 miles away.

5333. Is it not the fact that exemption has been claimed from toll by the persons sending this traffic?—Only within the last 12 months.

5334. Before that?—I cannot remember one who did actually claim.

5335. Was not a compromise arrived at between you and the Stanton Ironworks people, whereby you only charge 1*d.* for the whole length that you carried on the canal?—We agreed upon a rate of 1*d.*

5336. For the whole length?—The whole length is not 11 or 12 miles.

5337. The whole length carried on the canal, whatever it may be?—It was only for road material for parishes adjoining the canal; it might be for a parish just at the end of the canal, and it would be then five or six miles.

5338. What I understand is, that whatever distance it was carried you charged only 1*d.*?—If it was for roads on the canal.

5339. If it was, in fact, road material?—For parishes on the canal.

5340. If it was, in fact, road material for parishes on the canal, you, as matter of compromise, charged only 1*d.* a ton?—Not only if it was for road material, but I believe for any material going on the canal. We do charge a higher rate upon some materials.

5341. Then that last answer may be passed over as incorrect?—We do charge a rate of 3*d.* for cinders going from the Stanton Ironworks to any place on the canal.

5342. You withdraw the last answer?—Yes.

5343. It is only for road materials that this compromise was made?—I think very likely.

5344. Was it not, in fact, made because the Stanton

Mr. *Forbes Lankester*—continued.

Stanton Ironworks claimed this exemption for sending road materials; you made some difficulty about it, and the matter was then compromised for them to do it?—Yes, you may take it so.

5345. Since March 1893 has not that same road material being sent free of all charge, and have you not abandoned your charge of 1*d.*?—No, certainly not. We have a claim against them which I am going to enforce, and they owe us the money. We have not abandoned it. The claim we have sent in is for road material for the year to which you refer, and not only that, but we have here an outstanding claim against them, and will have the whole thing settled together.

5346. As a matter of fact, whether you have abandoned the claim or not, they have not paid anything upon road materials since March 1893?—They have credit, and they have not paid to the end of the year the account sent in.

5347. They claim that they are not bound to pay because they were sending road material which was free of charge?—Yes, they claim it as the result of the proceedings before the Board of Trade; they thought they could get off.

5348. As a matter of fact, you are free from rating along the whole length of the parishes through which you pass?—We pay rates for all the landed property that we have.

5349. You do not pay rates upon your earnings?—We do not.

5350. That is not the usual method of rating a canal, is it?—I think not: I think most canals are exempt.

5351. Give me a few examples. Do you suggest that the rule of canal rating is that canals are exempt from rates?—I should think so with canals under Acts of Parliament of this date. The only other Act which I know of is the Loughborough Navigation, a continuation of this one; it is the same in that case.

Chairman.] We need not go into this.

Mr. *Forbes Lankester.*

5352. I say that as the case stands the consideration for that exemption is freedom from rating for the parishes?—On the other canal I have just quoted there is no exemption.

5353. I cannot take that; if you give me the Act of Parliament, which speaks for itself, I will look at it. I cannot take it from you that there are no exemptions of the parishes?—Certainly, there are in the Loughborough case.

5354. Have you an Act of Parliament which gives exemption from rates which does not give some corresponding advantages?—The Board of Trade have seen the Act, and they have gone into it.

5355. As a matter of fact, do you know Sandiacre?—I know there is a place of that name upon the Erewash Canal.

5356. And the Erewash Canal Company pays no rates in that parish?—We do not pay any rates unless it is for any property or houses or anything of that sort; we pay nothing upon our profits.

5357. As a matter of fact do you know the Derby Canal going through that parish does pay rates?—I do not know that they do, but they may pay them without my knowing.

Mr. *Forbes Lankester*—continued.

Re-examined by Mr. *Soutter.*

5358. You say this compromise is quite a recent occurence?—It was before 1888. I am sure the Mount Sorrel question is later, the Mount Sorrel question was in 1888, therefore it was longer ago than that; I remember it quite well.

Mr. *Spicer.*

5359. At the present moment the compromise is not in existence, is it?—Yes, we expect them to pay, and we say they must keep to the compromise, and give us notice if they wish to break the agreement.

5360. They have given you notice and have broken the compromise?—That is one way of looking at it.

Mr. *Soutter.*

5361. One word about the exemption from rating. I should like to ask you what was the amount of your receipt for tolls last year?—£741 was the receipts from tolls from all sources, that is for the year ended March 1894.

5362. What were the expenses?—£720.

5363. I have got it down 716*l.* That leaves a balance to revenue of 24*l.*?—£24

5364. They would not get much out of you if they rated you?—That included the tonnage paid by the Mount Sorrel Granite Company, which we had to return.

Mr. *Spicer.*

5365. How much do you save as being exempt from rates; what would you be entitled to pay if you were charged in the ordinary way to the parish authorities?—I do not know, but I suppose it depends upon the amount of our profits; if we make no income, as last year shows, we did not, as I understand the rating of railway companies we should not have to pay anything.

Sir *Richard Paget.*

5366. Are you rated for the actual canal?—We do not pay upon the actual canal, we pay for the labourers' cottages and the land that we have upon the canal.

5367. Do not you pay upon the earnings apart from the profits?——

Mr. *Forbes Lankester.*] It would depend upon what hypothetical tenants would give for it for the purpose of business. The fact of it not earning anything one year would not prevent the tenant paying something.

Mr. *Soutter.*] The exemption clause is in the old Act, page 36; it is that upon the amount of tolls they receive they are to be exempt; not in respect of other property.

The Witness is directed to withdraw.

Mr. *Soutter.*] I have no other witnesses, your Grace.

Mr. *Lankester.*] I appear for Lord Stanhope, who

who is interested, of course, in the matter himself, and whose tenants, the Stanton Ironworks Company, are also interested in it. That company send a large quantity of road material along the canal to be used by neighbouring parishes. When we were before the Board of Trade, the point was taken by Mr. Pelham (and, of course there is great force in that point) that the persons who, perhaps, should be there supporting this exemption were the persons in whose favour no doubt the exemption was granted. I do not contest for a moment that Parliament intended to give the benefit to the parishes along the canal. The object of Parliament, no doubt, was not to grant any particular benefit to Lord Stanhope or to the Stanton Ironworks; but indirectly, or indeed directly, Lord Stanhope and the Stanton Ironworks have come into this position, that they are participators in that benefit, and therefore are entitled to be heard in favour of maintaining it, and entitled not only to call as witnesses before you their own people, that is to say, the producers of the road material and so on, sent along the canal free, but to put before you those who use the road material, to show you the value of this exemption, and to show you that the exemption is actually in force. I shall call the surveyors of highways from two of the chief parishes by the canal. Those parishes have no funds by which they can themselves come here and oppose the taking away of this exemption; but when they find persons in a position to appear before Parliament and who have a joint interest with them in maintaining this exemption, it is perfectly reasonable that they should join with them, though they cannot themselves technically appear before you and ask you on the evidence that they will give to maintain an exemption which is favourable to us. You will see also, in a more direct way, not only the producers of the stuff, but as ratepayers, the Stanton Ironworks and Lord Stanhope, as their landlord, are entitled to put that evidence before you, because, so far as that exemption goes, it is in favour of them as ratepayers in parishes along the canal. They are very large ratepayers, and therefore entitled really to be heard in this matter. I understand the general view of the Committee with regard to exemptions is *primâ facie* that they are against continuing exemptions unless they are really active and operative exemptions, or unless there has been some consideration to the canal for the exemption which they are bound to give to certain definite persons. In this case it is obvious that both those elements exist. We have the fact that those exemptions are at this moment acted on; there is no doubt about that. Whatever Mr. Woolley may say with regard to some arrangement or compromise with the Stanton Ironworks in order to prevent friction between them, you have it that since March, 1893, nothing has been paid, and, in fact, you will hear from the witnesses whom I will call that the 1*d.* a ton was money paid by the Stanton Ironworks themselves and was not added to the amount charged to the parishes who were supplied with the stuff. The parishes were supplied at the same rate as they had always been supplied at before the compromise; no difference was made in the price of the stuff supplied to them. The sum was 1*d.*, but it has not the slightest bearing upon the question whether, in fact, there is an exemption and whether or not that exemption has been acted on ever since the old Act of 1777 was passed. Therefore this is a living exemption which is in operation, and an exemption which is valued. This differs from the case of the Nottingham and Grantham Navigation, which you have dealt with, in the fact that here there is a definite consideration given in the Act. The parishes, on the one hand, get their road materials for nothing; I mean they get them borne along the canal free from toll, and on the other hand they exact no rates from the canal where it passes through the parishes. I will call a gentleman from one of the parishes who will tell you that his authority is exempt from about 7*l.* worth of toll a year, and his calculation of what the rating would be upon an annual value of about 100*l.*, which is 3*s.* in the pound (which is the rating in the particular parish) would bring it up to about the same. So about the same is given as would be taken if this canal was treated as all modern canals are treated, and rated in the usual way. Mr. Woolley said that he knew of other canals not liable to rating. That is so in the case of some of the old canal Acts. There are various exemptions and various arrangements for the benefit of the parishes through which the canal passes, and in consideration of those benefits there are no rating powers granted to the parishes. But in modern legislation all canals are rated, just as railways are rated. All these canals incorporated under old Acts of Parliament have within the last few years gradually been assimilated to modern canals, and put under the modern system of rating for the benefit of the parishes through which they pass. I say in two respects I understand you require evidence in order to maintain our exemption. I can show that the exemption here is an operative one, and is one which is highly valued, and one which has been paid for, as appears by the terms of the Act granting the exemption. There is this one remark to make. No doubt the exemption contained in the Act of Parliament is general in terms in favour of road materials whenever they are carried. At the time the Act was passed it was less likely that road material would be carried off the canal to other canals, and, therefore, it was only the parishes immediately adjoining the canal which were in the mind of the Legislature; the use of the exemption was not guarded in the way the Provisional Order has guarded it. If you look at the Provisional Order put forward by the Board of Trade you will see that the general exemption is now limited, as I admit it ought to be, and, as I suppose, it was at first intended that it should be. These words have been added: "In so far as any such exemption relates to gravel, stone, and other materials to be used for the making or repairing of any public road in any parish adjoining the canal." Now, whatever might have been the criticism upon the old Act, you get now the benefit of the canal, the same criticism is not applicable where the exercise of the exemption is limited in that way.

Mr. *Soutter.*] I would like to ask the Committee whether they think my learned friend is entitled to bring in under his Petition other people

people whose interests may be affected, and whom he is not entitled to represent. He wants to bring in the local authorities.

Chairman.] He appears for Lord Stanhope and his tenants.

Mr. *Soutter.*] Yes; and so far as his tenants are injuriously affected no doubt he is entitled to bring witnesses in support of their case; but surely he is not entitled to represent local authorities.

Chairman.] He does not profess to represent them.

Mr. *Forbes Lankester.*] I am going to call the Town Clerk of one of the local authorities. I call him as my witness, in order to induce the Committee not to strike out of the Bill this exemption in my favour.

MR. WRIGHT LISSETT, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Lankester.*

5368. You are Town Clerk of the borough of Ilkeston?—I am.

5369. You are clerk to the Urban authority? Yes.

5370. Have you had the arrangement of the matters connected with the conveyance of road material, slag, cinders, and so on, from the Stanton Ironworks along the canal to your parish?—Yes; I have had a great deal to do with the arrangements with them and other companies as well.

5371. The canal runs through the borough of Ilkeston?—Yes.

5372. The corporation have wharves alongside the canal?—Yes.

5373. And you unload the materials for the roads at those wharves?—Yes; we have three wharves on the canal where material is unloaded.

5374. The canal, we know, is not rated to the poor in the borough of Ilkeston, though it runs through it for 35 acres, 2 roods, and 20 perches?—The canal runs through the borough to the extent of 4 miles, 3 furlongs, and 3 chains, and it occupies 35 acres, 2 roods, and 20 perches of land not entered in the rate book, and for which not a penny is paid either to the Poor or to the General District Rate.

5375. Have you always regarded the exemption from payment in respect of road material as a compensation for that freedom from rating?—We have always laid claim to it on that ground, that is to say, because the canal did not pay rates, and the Act provides that stone and other road materials should be exempt from tonnage. We have made our claim to be exempt on that ground.

5376. As a matter of fact, so far as the corporation are concerned, have you always insisted upon your right to exemption in respect of the carriage of road materials?—Yes.

5377. And have you always succeeded in maintaining it?—In 1884 we had some little difficulty with the Erewash Canal Company, because they insisted upon our paying the tonnage from the Stanton Ironworks. My committee declined to pay. We sent a boat to be loaded with cinders at the Stanton Ironworks on the land of Earl Stanhope, and when the boat was coming back it was stopped at the lock and a toll demanded. We sent two witnesses and we paid 6*s.* 4*d.* tonnage under protest, and that money was eventually refunded by the canal company. In fact, in some transactions that we had with the company I deducted the 6*s.* 4*d.*,

Mr. *Lankester*—continued.

and it was allowed. So, practically, we have never paid any tonnage at all.

5378. Do you put considerable value upon the maintenance of this exemption?—We do.

5379. Do you put considerable value upon the exemption in connection with road material brought from the Stanton Ironworks to Ilkeston?—Yes; it is of very great importance to us, as we are so near.

5380. It enables the Stanton Ironworks to sell you their cinders and slag at a cheaper rate than they could otherwise do?—If we had had to pay the dues demanded we should have had to pay 3*d.* a ton more for the material than we have paid by claiming the exemption; so we have saved 3*d.* a ton.

5381. Has that been a considerable saving in a year in respect of materials from the Stanton Ironworks?—In 1892 we had only 589 tons carried; but we saved on that 7*l.* 7*s.* 3*d.* In the following year it was reduced to 340 tons; on that we saved 4*l.* 5*s.* for the year; and in 1894 there were 230 tons; and on that we saved 2*l.* 17*s.* 6*d.* But owing to the difficulties there have been, we have tried to go to other places for the cinders and slag, because we were determined we would not pay this amount.

5382. It is obvious, therefore, that it not only affects you, but it is an advantage and in favour of the Stanton Ironworks who supply you with the material?—No doubt it is a great advantage to them.

5383. It is a great advantage to them and a great advantage to you?—Yes; it may be considered an advantage to them to the amount of 3*d.* a ton.

5384. And 3*d.* a ton to you?—Yes.

5385. Have your corporation had this matter before them?—They have.

5386. Did they pass a resolution?—Yes.

5387. The corporation have no funds by which they could themselves appear by Counsel?—The fact is we were not made acquainted with the time when the Inquiry was to be held; we did not know anything about it.

5388. You did not know that you would be affected by it?—We did not know anything about it in any way till our attention was called to it by the Stanton Ironworks.

5389. Are you authorised by the corporation to come and assist Lord Stanhope and the Stanton Ironworks in this matter?—Yes, by a special resolution of the corporation.

5390. The matter has been considered by the corporation, and so strongly have they felt about

Mr. *Lankester*—continued.

it that they have asked you to come up and assist us by giving your evidence in support of our case for preserving this exemption?—The corporation are strongly opposed to the exemption in the old Act being done away with.

Cross-examined by Mr. *Soutter.*

5391. I suppose you get your road material also by railway, do not you?—We have had it either by railway or by two canals.

5392. How much do you get by railway?—I cannot tell you the exact quantity we get by railway, but we have had more by railway these last three years than before.

5393. Do you get more by railway than you get by canal?—Yes.

5394. Can you tell me what proportion you get by each mode of conveyance?—I cannot tell you the proportion.

5395. Have you had time to consider this Schedule?—I have nothing to say against the tolls.

5396. You understand that the tolls have been considerably reduced?—We are satisfied with the tolls.

5397. The trader gets a very considerable benefit; I said to the Committee it was 12½ per cent.?—I have not gone into that.

5398. I understand that you do not deal with the canal; you get your road material from the Stanton Ironworks, and they deal with the canal?—It was the company's lock-keeper or toll-taker who stopped our boat, and would not let it go; who locked it up in one of the locks.

5399. That was in 1884?—Yes.

5400. Since that time you have had no dealings with the canal company?—No; we have not paid them any toll, or had anything to do with them.

5401. In 1884 you first objected?—Yes, that was when the matter was brought to a climax.

5402. Before that did you pay?—No.

5403. Are you quite correct in saying that?—Yes.

5404. I understand it is not so. I understand you paid before 1884?—Not directly.

5405. You send a certain quantity of manure over the canal?—Yes, we do not claim exemption for that.

5406. Have you anything to complain of in the rates for manure?—I think we shall perhaps ask them to take a less rate according to the Schedule.

5407. You benefit considerably by the reduced rate?—Not considerably, because we do not send a great quantity of manure.

5408. Would you gain in rating what you would lose in respect of carriage if the exemption in respect of road material was taken away?—We should be satisfied to pay the toll for the road material if we could rate the canal.

Mr. *Lankester.*

5409. Did you send your own boat up to the Stanton Works?—Yes, we hired a man.

Mr. *Soutter.*

5410. How long ago is that?—1884.

Mr. *Lankester.*] I propose to call the Assistant Surveyor of Sandiacre.

Chairman.] What applies to one parish would apply to the other.

Mr. *Lankester.*] And then I propose to call the Manager of the Ironworks.

Chairman.] I do not think it is necessary to call him.

Mr. *Soutter.*] I want to call the Committee's attention to what was done in the case of the Nottingham and Grantham Canals.

Chairman.] You need not go into that; each case stands on its own merits.

Mr. *Soutter.*] Then I will deal with my learned friend's observations. In his opening remarks he admitted my case, because he admitted that this exemption was not for the benefit of the traders, but that it was intended to benefit the road authorities. At this distance of time it is perhaps difficult to say why this exemption was put in the old Act, but the same exemption is to be found in a large number of canal Acts. The Committee remember that there was a similar exemption in the case of the Nottingham and Grantham Canals. If I might venture a shot I should say that this exemption was put in at a time when it was the practice to put in provisions for the protection of local authorities in most Acts, such as Inclosure Acts. In Inclosure Acts there was always a provision put in allotting a certain quantity of land to the local authorities out of which they might dig gravel and stone for the use of the roads. No doubt this was put in to unable the local authorities to carry road materials along the canal free of toll for the repair of their roads, but it was never intended that an exemption of this kind should be used by a trader to benefit himself. These exemptions are found to work unfairly to traders generally; they give to one trader who happens to be on the canal an undue preference over other traders not so well situated.

Chairman.] Lord Stanhope supports this exemption on behalf of himself and his tenants. We have nothing to do with any traders.

Mr. *Soutter.*] I say Lord Stanhope does not represent the local authorities.

Chairman.] We have nothing to do with the local authorities. We are dealing with Lord Stanhope and his tenants.

Mr. *Soutter.*] My learned friend has not called any of Lord Stanhope's tenants. He has called no one to show that his tenants are damaged or that Lord Stanhope is damaged. The only witness he has put in is a witness representing the local authority.

Mr. *Lankester.*] I am prepared to call the manager; that is to say, Lord Stanhope's tenant.

Mr. *Soutter.*] My learned friend has not shown that he or his tenants are entitled to the exemption or that they are injured in any degree by the exemption being taken away. If not entitled to the benefit of the exemption, Lord Stanhope is not entitled to come here and say he is going to be damaged by the removal of the exemption. It is only those people who are entitled

entitled to the exemption who are entitled to come here and ask that it should be continued. Lord Stanhope and his tenants are not entitled to the benefit of this exemption, and they are not entitled to come and ask that the exemption should be continued. We ask the Committee to strike out the exemption, as there is no one here who is entitled to claim that it should be continued.

The Committee deliberate.

Chairman.] The Committee have decided not to accept the amendment. Therefore lines 1 to 9 on page 20 will remain in the Bill.

(Lower Medway Navigation.)

Mr. *Moon.*] I APPEAR for the Lower Medway Navigation, and I am happy to tell the Committee that during the time the discussion on the case of the Erewash Valley Canal has been going on we have settled with our opponents, and I will read the terms of the settlement so that they may be upon the minutes. At page 31, after Table A., insert, "provided that on articles carried through to and from the Medway Upper Navigation, and delivered outside the Parish of Maidstone, the maximum tolls on manure, chalk stone, sand, and gravel, shall not exceed one penny per ton; on bricks, shall not exceed two pence per ton; on other articles in Classes A. and B., shall not exceed two pence halfpenny per ton; on coals and packed manures, two pence halfpenny per ton; and on articles (except packed manures) in Classes C. to 5, threepence halfpenny per ton.' Page 49, after 2, insert: 'Provided that in the case of the Lower Medway Navigation the sum to be charged for petroleum oil in barrels, matches, and gunpowder carried through to and from the Medway Upper Navigation and delivered outside the parish of Maidstone shall not exceed threepence halfpenny per ton.'" Upon those terms the amendments to the Lower Navigation Schedule are withdrawn.

Mr. *Pelham.*] There is one question arises, and that is, whether those favourable terms are accorded to all the traders that trade on the Upper Medway?

Mr. *Moon.*] The favourable terms are accorded not only to the Upper Medway Company, but to all traders who use the Upper Medway Navigation.

Ordered, That this Committee be adjourned to Tuesday next at Half-past Eleven o'clock.

Die Veneris, 6° *Julii*, 1894.

PRESENT:

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Herries.	Mr. Samuel Young.
Lord Hawkesbury.	

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(Canals of the Great Northern and certain other Railways.)

Canals of the Great Northern Railway Company.

Mr. *Pelham.*] The Committee will remember that they gave a decision yesterday settling a special toll as to traffic from the Trent through the Beeston Cut on to the Nottingham Canal. I have prepared a clause which, I believe, carries out the decision of the Committee, and, without reading it, I ask that it should go on the Notes (*handing in the following clause*):—

"Page 8, line 12, insert—

"(IV.) Notwithstanding anything in this Schedule, where a boat, whether conveying merchandise or empty, passes from the Beeston Cut, belonging to the Trent Navigation Company, over the Nottingham Canal and into the River Trent at Sneinton Meadow, or *vice versâ*, the maximum toll shall not exceed the sum of one shilling per boatload, or one shilling for such empty boat, as the case may be, provided that such boat does not load or re-load any merchandise at any place on the Nottingham Canal, or at any place within the borough of Nottingham on the River Trent."

Saving special toll as to traffic from Beeston Cut.

Ordered, That this Committee be adjourned to Tuesday next, at Half-past Eleven o'clock.

Die Martis, 10° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	
Lord CLIFFORD OF CHUDLEIGH.	Mr. SPICER.
Lord HERRIES.	
Lord HAWKESBURY.	Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 4) BILL.

(BIRMINGHAM CANAL.)

Mr. *Bidder.*] YOUR Grace, we are in a little difficulty in this case, and perhaps it would be best that I should explain to the Committee exactly what the position is at the present moment. In this Birmingham Canal Order there are some very difficult questions, and it is perhaps one of the most troublesome cases that have come before you. The Board of Trade and everybody else have felt the difficulties, and it is not easy to see how to deal with them. There have been several attempts to arrive at an understanding, and I have been informed within the last few minutes that those who are the principal representatives of the traders are engaged at the present time with the representatives of the Birmingham Canal Company in trying to put their horses together; and Mr. Pelham informs me that he is given to understand that probably a very short adjournment may result in a settlement as between the different interests. How far that settlement would be one that the Board of Trade would approve of Mr. Pelham may not be able to say until he has seen it. Under these circumstances we have been strongly urged to suggest to the Committee a short adjournment. For myself the alternative is that I should open the case to the Committee and then that it should be adjourned; but it may be that if what the gentlemen are doing now at Richmond-terrace results in a settlement satisfactory to us and the Board of Trade it may not be necessary to trouble the Committee with any prolonged hearing.

Chairman.] It would be far better to have a short adjournment than that you should open the case and then adjourn.

Mr. *Bidder.*] The question is whether it would not be better to adjourn until to-morrow or Thursday or some day convenient to the Committee.

Chairman.] Could not we give an adjournment for an hour or so?

Mr. *Bidder.*] My own personal position is this. I made arrangements expressly to be here with the Committee this morning, but if you adjourn till half-past 12 or 1 o'clock I am afraid I shall be in some difficulty. I do not know, except at second-hand, the exact position in which the nogotiations are; in fact, Mr. Pelham may know more than I do.

Mr. *Pelham.*] I can only say I invited the company and nearly all of the objectors were invited too, and I think they were nearly all there. The great bone of contention was between the canal company and Sir Alfred Hickman and some of the coalowners. The Birmingham Corporation, who were another party, were also represented. Last night I left them under the supposition that they were coming to some agreement. They were to meet early this morning, and I came to them at a quarter-past 10 to see how they were getting on. Unfortunately when I came I found that the proposals had been quite misunderstood, and the whole thing began almost *de novo*. I left them at half-past 10 and came back at 10 minutes past 11, and they thought they were on the road to a compromise, I do not say covering the whole question, but covering some of the very important matters coming before the Committee. They said that if they could be only left in conference till half-past 12 they thought they would be able to come to some arrangement. I told them I would represent that view to the parties and the Committee, and that if the Committee decided that the case should go on a messenger should be sent to inform them. I hardly know what to say about Mr. Bidder's position.

Mr. *Bidder.*] That is an utterly insignificant question.

Mr. *Balfour Browne.*] I am told by some of my clients that they think there is a chance of a settlement of some of the points, and if two hours were given they think they could come to some understanding or break off the negotiations and come to your Lordships.

Mr. *Bidder.*] It is an enormously complicated business, and I cannot but think that if you adjourn for one or two hours it is just as likely that when the one or two hours have elapsed they may be in about the same position. One knows how rapidly time goes under such circumstances.

Chairman.] Many Bills are before us, and we have not much time in which to deal with them. We cannot adjourn for the whole day; we can give an hour or so.

Mr. *Balfour Browne.*] I ask for two hours.

Chairman.] Until half-past 1.

Mr. Pelham.] I was with the parties, and they said an hour would be quite sufficient.

Mr. *Bidder.*] May I make a suggestion to the Committee? I do not think, from what Mr. Pelham says, that even if they came to a settlement it would cover everything, and it will be necessary to deal with what remains. Therefore, would not it be an economy of time if we were to proceed now with the opening of the case, and by the time I have done my opening, half-past 12, which is the time they ask for, will have arrived.

Chairman.] We shall adjourn till one o'clock, and the case will then have to be opened.

Mr. *Bidder.*] Will your Grace say a quarter before one o'clock? To be frank with the Committee, knowing yesterday that it would be my duty to open this case at half-past 11. I persuaded a Commons Committee to adjourn till 1 o'clock, and your Grace appreciates the position in which I am placed.

Chairman.] We will adjourn till a quarter to 1.

Upon resuming,

Mr. *Bidder.*] I am told it is exactly what I expected it would be, that the hour granted has brought the parties within reach of a final settlement, but time is yet necessary within which to settle it. Mr. Pelham perhaps knows better than I do, but I am told that the matter has proceeded so far as preparing a clause which has not got yet into shape, and it is expected that if time were granted practically all the great questions will be settled. I ventured to say an hour ago that I could not help feeling that in so complicated a matter an hour was of very little use.

Chairman.] Then we must ask you to open the case.

Mr. *Bidder.*] I am afraid I shall be beating the air, though I am quite ready to open the case.

Sir *Alfred Hickman.*] As representing the traders in this matter, I may say that we had submitted to the Birmingham Canal Company certain propositions which we understand they accept, but they wish to have time in order to prepare amendments carrying out the arrangements come to. It is an extremely complicated matter, and it will be impossible to prepare the amendments in the presence of the Committee, or without some considerable time; and I submit to your Grace that the time of the Committee would be very greatly saved by allowing us until to-morrow to prepare amendments which we shall agree upon, and lay before your Grace and the Committee.

Chairman.] Would that enable the Birmingham Canal Bill to pass as an unopposed Bill?

Sir *Alfred Hickman.*] I cannot say that. The principal opposition is between the Birmingham Canal Company and the South Staffordshire Traders. I believe the Birmingham Corporation are not settled with, and they may have still something to say. But so far as the South Staffordshire Traders (which is the principal part of the case) are concerned I believe an arrangement is practically come to.

Mr. *Erskine Pollock.*] I appear for the Warwick and Birmingham Canal, and if there is any proposal to deal with tolls affecting traffic passing on to our canal, we shall have something to say. But I do not know what the proposal is.

Mr. *Blennerhassett.*] I appear for the Corporation of Birmingham, and what Sir Alfred Hickman says does not at all apply to our opposition.

Chairman.] The Birmingham Corporation have not been dealt with in any way.

Mr. *Blennerhassett.*] There have been some negotiations with the Birmingham Corporation, but I am instructed that no settlement has yet been arrived at.

Chairman.] Negotiations are still going on, I understand?

Mr. *Bidder* (to Mr. *Blennerhassett*).] If time was given you think it would be settled.

Mr. *Blennerhassett.*] There is a possibility of settlement, but nothing of the kind has been arrived at.

Mr. *Pelham.*] I should like to say a word as to the general outline of the arrangement. I understand there is an arrangement made to entirely save the contract district tolls for coals and such articles as they stand; that will be one great obstacle removed out of the way. But I understand that the canal company propose, and some of the traders are inclined to agree, that the company should be able to charge 1·40*d.* for other coal, that is to say, that for coal going to coal merchants or on to the railway, or going off on to other canals, it should be able to charge 1·40*d.*, which the Committee know is a very high toll per mile. But there is a question between them and the Birmingham Corporation whether there shall be a limit of 8*d.*, 9*d.* or 10*d.* on coal going a long distance, but that will not remove all the opposition as regards the coal which goes off the canal. About that I believe Mr. Erskine Pollock will have something to say.

Mr. *Erskine Pollock.*] It is proposed to raise it from 0·50*d.* to 1·40*d.*

Chairman.] What are we asked to do?

Mr. *Bidder.*] I know no more than what your Grace and the Committee have heard from Sir Alfred

Alfred Hickman and Mr. Pelham. It was indicated that an adjournment to another day would probably greatly shorten the matter; at the same time I am perfectly in your Grace's hands, and if you wish me to open the case I am prepared to do so.

Chairman.] What is the proposal on the part of Sir Alfred Hickman? (To Sir *Alfred Hickman.*) You represent a certain set of traders?

Sir *Alfred Hickman.*] Yes.

Chairman.] What was your proposal?

Sir *Alfred Hickman.*] It is agreed between us that nothing shall be said as to what the proposals are unless a final settlement is come to; therefore I am not at liberty to say. I propose that the Committee should adjourn until to-morrow. I am sure it would greatly shorten the labours of the Committee if they did so. Even if it should result in only a settlement with the South Staffordshire Traders, the South Staffordshire Traders are the bulk of the persons interested in the canal. The Warwick and Birmingham Canal are only very incidentally interested; the Committee's labours would be greatly shortened by getting rid of the South Staffordshire Traders on the Birmingham Canal.

Mr. *Bidder.*] Without depreciating in any sense the importance of the case of any other petitioner in matters in which he is interested, as I understand the case there are certain questions of a most complicated character which are practically represented by Sir Alfred Hickman and those acting with him, and if we can settle those questions, I think we shall have broken the back of the most difficult part of this Bill. There may be other questions affecting other petitioners of equal importance in their point of view; but I think the work of the Committee will be very greatly shortened. Mr. Pelham will agree with me in that.

Chairman.] Do I understand you to say that even if you opened the case we could not take the other question this evening?

Mr. *Bidder.*] It would be quite impossible.

Chairman.] We will adjourn until to-morrow at half-past 11 o'clock; then you will be able to put your remarks into a very small compass.

Mr. *Bidder.*] I hope so, your Grace.

Ordered, That this Committee be Adjourned till To-morrow, Half-past Eleven o'clock.

Die Mercurii, 11° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE	Sir RICHARD PAGET.
Lord HERRIES.	Mr. SPICER.
Lord HAWKESBURY.	

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 4) BILL.

(BIRMINGHAM CANAL.)

Mr. *Bidder.*] I AM very pleased to be able to tell your Grace and the Committee that the time which you allowed by adjourning yesterday has not been wasted, but on the contrary that the parties interested in this Bill,—I believe I may say all, with the exception of one petitioner, who has certain questions that he still wishes to raise,—have been able by meeting together to adjust their views, and have come to an agreement as to the settlement of the Bill which, I believe, the Board of Trade are prepared to acquiesce in, and which, if it meets with the approval of your Grace and the Committee, will terminate an extremely complicated business.

I think I ought to explain to the Committee that this was really a case of no ordinary complication. The Birmingham Canal Undertaking, one that has grown up during a series of years, dates back to 1768 in its inception. A system has grown up of limitations and charges of an exceptional character that have been in force for more than half a century,—what are known as contract tolls, limitation of tolls, lockage charges and various other complications. The trade has grown up under these conditions and has adapted itself to those conditions; consequently, though it would have been a very fascinating idea to make a clean sweep and perhaps a model schedule according to modern ideas, it was found that any attempt of that kind if made would cause so much dislocation of trade and raise so many difficulties that it was practically an impossibility; consequently the problem has been how to arrive at a re-adjustment of the tolls and charges which would do fair justice and minimise the disturbance of existing trades and interests upon the canal. I am glad to be able to say that we have been able to achieve that agreement with all the opponents interested in the trade; in fact, every one except the Birmingham and Warwick Canal, which is a canal which at two points comes in contact with the Birmingham Canal. There have been numerous trade interests to consult. Sir Alfred Hickman represents very large and numerous trade interests; the Mining Association also have been watching over certain interests; the Midland Canal Freighters' Association have been watching over certain canal interests; and the Birmingham Corporation have been watching over Birmingham interests. Well, your Grace, we have been able to arrive at a settlement which involves a very substantial sacrifice of income to the canal company which they must face under the circumstances, but which is considered fair all round. I do not think I ought to leave the matter without saying that we are greatly indebted to Sir Alfred Hickman for the pains he has bestowed on the matter, and the way in which he has laboured to reconcile the views of the different parties. It is not too much to say that without the great ability and the great attention which Sir Alfred Hickman has given to the question I do not think we should have been able to arrive at a settlement.

Now, there remains the Birmingham and Warwick Canal. How far they desire to press the amendments in their name I wait to see. I can only mention this, that as far as they are concerned, whereas this canal has something like in round figures seven millions of tons carried over it, I believe that the traffic exchanged between the Birmingham Canal itself and the Birmingham and Warwick Canal is rather over 100,000 tons; about one-seventieth part of the whole. I do not think that anything in the amendment which has been made is prejudicial to the interests in which they are engaged; but on the contrary, the alterations are all in the direction of relief to the traffic which we exchange with the Birmingham and Warwick Canal. Under the circumstances I should hope to hear that they do not press their amendments before the Committee. Perhaps my learned friend Mr. Erskine Pollock will tell me what he wants?

Mr. *Erskine Pollock.*] I do not think we are

in any sense irreconcileable; but when I tell your Grace our position upon this canal, you will see at once how vitally important it is to us that these tolls settled in the Schedule should be such that the traffic can continue to flow in an increased stream from the Birmingham Canal to the Warwick and Birmingham, or from the Warwick and Birmingham Canal to the Warwick and Birmingham Junction Canal, whose Schedule your Grace will remember you settled last week. Most of that traffic is traffic coming a long distance; a great deal goes to London. The answer is that that would be settled by a through rate, so it would be, and there would be no difficulty in arranging a through rate, but for one special clause in the Railway and Canal Traffic Act, 1888. I call attention designedly to this, because we may be able to suggest something to meet the difficulty. Section 25 of the Railway and Canal Traffic Act, 1888, deals with the question of through rate, and Sub-section (8) says this: "The Commissioners in apportioning the through rate shall take into consideration all the circumstances of the case, including any special expense incurred in respect of the construction, maintenance, or working of the route, or any part of the route, as well as any special charges which any company may have been entitled to make in respect thereof." For our traffic the initial price is 0·5*d.* on A. and B. The Schedule proposed here would start for the first three miles at 1·20*d.*, that is, for A. except Division 1. Division 1 does not affect through traffic. It would then continue for the next 10 miles, 0·75*d.* Your Grace sees at once that if the Commissioners are to have regard, as the Act of Parliament says they are, to the special circumstances and the special charge in the Act, they must have regard to 1·20*d.* and to 0·75*d.* If that is so, it would be impossible either to get a through rate enabling traffic to be carried in competition with the London and North Western and other railways carrying traffic to London, or it must result in such an apportionment to us, who can only charge, to start with, 0·50*d.* that it must be absolutely unremunerative to us, having regard to the loss of water; and we could not take the traffic at all. That is what it comes to. Such a rate must be put upon the traffic to or from parts of the Birmingham Canal to the London and North Western Railway, that it cannot flow as through traffic to London over the Warwick and Birmingham Canal.

Now I take it that one of the main objects of the Act of 1888, and of the Committee sitting here, is to develop the through traffic by means of the long run of canals coming from North Staffordshire to London. We are one of the most important links in the chain. If my learned friend, now having heard my difficulty, can suggest some arrangement with us obviating our discussing the sections here, I will fall in with it. So far as the domestic interests of the Birmingham Canal are concerned, and the traders upon that canal, it is nothing to me; but I am concerned in all the traffic that must flow on my canal, which does not originate upon my canal, because nine-tenths of my traffic is traffic coming from Birmingham or points north of Birmingham. It is obvious that the Warwick and Birmingham people consented to this very low 0·50*d.* to develop this traffic in the interests of the traders. If we are to have this high maximum put upon the Birmingham Canal it must stifle the through rate which we have done our best to enourage, and defeat the object of the Act of 1888, because it will not allow through traffic to come to London by the canal in competition with the railway company. I hope I have made my point clear to my opponent.

Mr. *Bidder.*] Two or three observations will show the Committee that what my learned friend suggests is absolutely out of the question, and that his objections are founded upon a misapprehension. Let me first say this: This traffic is not the traffic of the Birmingham and Warwick Canal. It is theirs in the sense that it passes over the canal; but it is the traders' and freighters', consignors' and consignees' of coal and other goods; and they are all perfectly satisfied with the arrangement that has been come to, there is not one of them supporting my learned friend in what he asks. They all think that the arrangement come to is a reasonable settlement of an extremely difficulty question. With regard to what my learned friend says about the Act of 1888, and through rates, I think the Committee will feel that you are not here to amend the Act of 1888. But as a matter of fact, my learned friend is in error. What the Act of 1888 says is that the Railway Commissioners when they are adjusting a through rate, and the proportion which each party is to receive, are to have regard to the rates and special charges of any company; but it does not say that they are bound to modify the rates. They are to have due regard to the circumstances of each company.

Mr. *Erskine Pollock.*] They are to "take into consideration" are the words.

Mr. *Bidder.*] It does not mean that they are bound hard and fast without consideration. On the contrary, it means that they are to exercise their discretion.

The next point is this: The alteration as regards the great bulk of the traffic which is exchanged between us and the Birmingham and Warwick Canal is in the direction of relief. My learned friend says that if this rate is put upon them of 1·20*d.* the traffic cannot be carried. He forgets that so far as the bulk of that traffic is concerned, it is going at a higher rate now, and instead of having ground for complaint he will be advantaged so far as he is interested in the development of that traffic.

Now one more observation with regard to the suggestion, which is substantially that all parties, all the traders, interested, have agreed to the rate of 1·20*d.* My learned friend asks for the Warwick and Birmingham Canal that the 1·20*d.* should be exchanged into a halfpenny, that is to say, 0·5*d.*; and I think upon that it is almost sufficient to mention one fact. It was that very proposal which wrecked the Bill of last year, and the Schedule which was submitted to the Joint Committee of last year. In point of fact a Schedule prepared upon that basis was submitted to the Joint Committee and was rejected by them, because it was shown to them that the effect of it was at one blow to take away from the canal company over 60,00*l.* a year of a total net income of

of 80,000*l.*; that is to say, to deprive the canal company of three-fourths of their revenue. I do not think your Lordships would under these circumstances, at the instance of the Warwick and Birmingham Canal Company, who are advantaged and not hurt by this arrangement, upset the arrangement which meets with the approval of every trader and every consignor and consignee of goods upon this system.

Mr. *Erskine Pollock.*] The short answer to that is that you have no proposal to make to me.

Mr. *Bidder.*] I have a proposal which has met with the approval of everybody else.

Chairman.] We must go into the clauses now as they have been agreed.

Mr. *Bidder.*] It will be convenient to your Grace if we go in order through the amendments.

Chairman.] Before we go to the amendments it is right that we should ask whether the Board of Trade have anything to say upon the subject; then we can deal with the whole question.

Mr. *Pelham.*] It is very often necessary for the Board of Trade to regard agreements between canal companies and traders with some suspicion; because very often it is only certain traders appearing before the Committee who enter into the agreement, and the terms of the agreement are often very much to the prejudice of other traders who are not represented. But the circumstances of this canal are, as you have heard, very peculiar, and there is this peculiarity and advantage in coming to an agreement, that the traders are very fully and very ably represented. With regard to the traders who have agreed with the company, there is no suspicion that they are particular friends of the company. Some of them have been their bitterest opponents. Therefore, I think that difficulty is met. The Board of Trade feel that the traders here are very fully represented and are very wide awake indeed. It may be my duty to call the attention of the Committee to one or two special amendments; but speaking generally, the Board of Trade do not think it necessary to offer any special objection to the amendments. At the same time they do not wish to say anything at the present moment which would prejudice the view urged by Mr. Erskine Pollock, who represents one objector who is not satisfied with the agreement.

Mr. *Bidder.*] It may be most convenient if we take the agreed amendments in order, and go regularly through the Order. Of course, if my learned friend, Mr. Erskine Pollock, at any stage wishes to bring up any of the amendments of which he has given notice, they can then be discussed.

The first amendment is upon page 4, Clause 5, line 13, after the words "all reasonable times," insert the words "for the purpose of ascertaining the carrying capacity of such boat." That was an amendment introduced at the instance of those interested in the Cannock Chase trade. I do not know whether anybody has anything to say to it. That is agreed.

The next one is an important amendment in the same clause: to strike out the words between "on his behalf" and the words "any difference." Those are the words: "but nothing herein contained shall authorise the company to make any charge for loading or unloading over the towpaths or canal banks, provided no injury is done to the property of the company, or obstruction caused to the traffic passing on the canal." That is struck out with a view to a clause that deals with the question later on.

Mr. *Pelham.*] I have something to say about that. I only wish to inform the Committee that this clause about charges over the towing-path was settled last year by the Committee after a very long discussion. The Board of Trade would not have felt at liberty to insert such a clause in the Provisional Order, and it must be understood that the Board of Trade do not express any approval of this amendment; but if nobody objects the Board of Trade would leave it to the decision of the Committee. The point is this, that at present, under the Schedule which they settled last year, no wharfage charge is payable for landing over the towing-path. This departs from that principle, and proposes by a subsequent amendment to authorise a toll of 1*d.*

Mr. *Bidder.*] It would be right that I should explain to the Committee, with reference to that, that this is part of a settlement which has been arrived at under circumstances which are very special to this canal, and if it receives the sanction of the Committee, the circumstances are so special that it could in no sense be quoted as a precedent in another case. It is part of the general and very complicated settlement, and I hope it may receive the consent of the Committee.

Sir *Richard Paget.*] Is your proposal amongst the agreed amendments?

Sir *William Houldsworth.*] I understand there are some other words to go in.

Mr. *Bidder.*] It is page 5 of the agreed amendments at the bottom, the last two amendments. The words proposed to be added are, after "Board of Trade" to add "provided that the charge for permitting loading and unloading upon or over a towing-path or canal bank of the company shall not exceed a penny per ton." I ought to mention this also, which I can prove if the Committee desires it, that in point of fact it is no new charge in this case whatever; it is simply recognising a charge which is made at the present time and is paid by the freighters at the present time. I hope under these special circumstances the Committee will sanction the amendment.

The amendment is passed.

Mr. *Bidder.*] The next amendment is on page 6, Clause 15, line 6. The next three amendments go together. There is a distinction drawn between the minimum charge in the case of merchandise going to or from the railway basin and other merchandise upon the canal. It is proposed to preserve the minimum toll for general merchandise on the canal, as in the Order before the Committee, but to add words at the beginning at Clause 15, which will make a different and a larger minimum toll in the case of a particular description of traffic; that is traffic

going to or from the railway basin or wharf. There are many railway basins or wharves upon the canal which form collecting stations to various railway companies, and which take a good deal of the short-distance traffic, removing it from the canal. It has been agreed, subject to the Committee's approval, to insert this clause :—"Where merchandise is conveyed on the canal to or from a railway basin or railway wharf in a boat which does not pass through a lock, the company may charge a minimum toll of three shillings, but where such boat passes through a lock the company may charge a minimum toll of five shillings." The consequence is that the next two amendments are verbal amendments.

Mr. *Pelham.*] I should like to point out, without raising any material objection, that this is a clause which the Board of Trade could not have put in, because it is a preferential dealing with one sort of traffic over another; that is to say, if the trade is going to some other place, it only pays a shilling minimum toll if it does not go through a lock, and 2*s.* 6*d.* if it does go through a lock. Here, if it goes through the railway basin, it will pay 5*s.*

Chairman.] We pass that.

Mr. *Bidder.*] The next three amendments to Clause 15 are mere verbal amendments, and I do not think your Grace will be troubled with any question upon them.

The amendments are passed.

Mr. *Bidder.*] The same may be said of the amendment at the top of page 2; that is practically a verbal amendment about which there is no question, and you need not be troubled with it.

Mr. *Erskine Pollock.*] I have an amendment upon that, but I do not propose to move it.

Mr. *Bidder.*] The next amendment is purely clerical; and the third amendment which is a very long one is a very important part of the arrangement that has been come to. It is to omit Section 17 and insert instead the following section, No. 18. "(*a*) For the purpose of calculating the distance over which any merchandise is conveyed, and for all purposes of tolls and charges, any boat which has passed over any of the branches and canals following shall, in respect of each such branch or canal over which or any part of which respectively it shall have passed, be deemed to have travelled for two miles on the canal in addition to the distance which it has actually travelled :—Titford Canal, Bradley Branch Extension, Walsall Junction Branch, Anglesey Branch, Nechells Branch, Churchbridge Branch, canal from the Stourbridge Canal at Black Delph to the bottom of Park Head Locks, the canal between the top lock at Wolverhampton and Autherley Junction. (*b.*) For the purpose of calculating the distance over which any merchandise is conveyed, and for all purposes of tolls and charges, any boat which has passed through any of the following flights of locks, or through one or more locks thereof respectively, shall, in respect of each such flight through which or one or more locks of which respectively it shall have passed, be deemed to have travelled for one mile on the canal, in addition to the distance which it has actually travelled : Brades Hall, Tipton Green, Tipton Factory, Oldbury (Titford), Bradley, Walsall, Ogley, Rushall, Bentley, Park Head, Two Lock Line, Churchbridge, Black Delph, Farmer's Bridge. (*c.*) In calculating the distance for all purposes of tolls and charges each quarter of a mile of the canal in or near Birmingham, lying between the Winson Green Road, Winson Green, the junction with the Worcester and Birmingham Canal at the Worcester Bar, the junction with the Warwick and Birmingham at Digbeth, and the junction with the Birmingham and Warwick Junction Canal at Salford Bridge, shall be taken as equal to half of a mile, but this sub-section shall not apply to ashes, manure, street, stable, or farmyard in bulk, night-soil, or stone and undressed material for the repair of roads. (*d.*) This section shall not apply to cannel, tap, mill, forge, and coal cinders, coal, coke, culm, and slack." That reserves to a certain extent certain charges in respect of traffic going on to particular branch canals; and traffic which passes through certain locks, that in the case of the canals named, there shall be two miles added to the distance, and a bonus mileage of two miles, and in the case of the locks there shall be in respect of each of the flights of locks a bonus mileage of one mile. Of course in one of these cases where they are pumping the water the charges are very heavy indeed; we provide our own water at very great expense; the third (*c*) is a provision that in the immediate neighbourhood of Birmingham the mileage should come double on that portion of the canal.

Mr. *Erskine Pollock.*] I object to that so far as it affects the Birmingham and Warwick Canal.

Mr. *Bidder.*] That is assented to as a recognition of the fact that the construction of the canal in Birmingham is enormously expensive. Your Grace notices that the last paragraph removes from this provision all cannel, tap, mill, forge, and coal cinders, coal, coke, culm, and slack; which in point of fact forms a very large part of the bulk of the traffic on our canal.

Chairman.] We have now before us four amendments. (To Mr. *Erskine Pollock.*) Which of those amendments do you object to?

Mr. *Erskine Pollock.*] I move to strike out the words "Warwick and Birmingham Canal."

Chairman.] In which clause?

Mr. *Erskine Pollock.*] Sub-section (*c*): "The junction with the Warwick and Birmingham Canal at Digbeth and the junction with the Birmingham and Warwick Junction Canal at Salford Bridge." On the amendment brought up by the promoters I propose to strike out those two junctions.

Mr. *Bidder.*] I am afraid your amendment would make nonsense of the whole clause.

Mr. *Erskine Pollock.*] You propose at certain junctions to charge a quarter of a mile as half of a mile. I propose to strike out two of the places; you may charge it at the other places if you like.

Chairman.] What do you propose to substitute for it?

Mr.

Mr. *Erskine Pollock.*] Nothing. This is a bonus mileage clause. I propose to strike out the bonus at two points, but I have no objection to make as to the other points.

Chairman.] We ought to hear what Mr. Pollock has to say why he objects to the retention of these two places. That is the line which we have adopted. We want to hear from you, Mr. Pollock, why you want the words struck out?

Mr. *Erskine Pollock.*] I will call Mr. Lloyd.

MR. EDWARD JOHN LLOYD, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Erskine Pollock.*

5411. You are Managing Engineer to the Warwick and Birmingham Canal?—I am.

5412. And to the Birmingham and Warwick Junction Canal?—Yes.

5413. That is an offshoot of the Birmingham and Warwick Canal?—Yes; an alternative route through the City of Birmingham.

5414. The Warwick and Birmingham Canal makes a junction with the Birmingham Canal at Digbeth?—Yes.

5415. Where is the Warwick and Birmingham Canal, which you say as an alternative route makes a junction at Salford Bridge? (*The Witness points out the same.*)

5416. First of all point out the portion of the canal on which they propose to charge double mileage as a bonus? (*The Witness points it out.*)

5417. What length would that be; first, as to traffic coming on to us at Digbeth Junction?—Three and a-half miles, or thereabouts.

5418. For that 3½ miles this alteration from the Schedule of the Board of Trade will enable them to charge seven miles?—Yes.

5419. First point out at Digbeth Junction what the effect would be upon your traffic?—The effect would be to increase the toll of 1·20*d.* by three times that amount, or nearly 4*d.*

5420. Your Grace will notice that for the first three miles on A., except Division 1, the toll is to be 1·20*d.* (To the *Witness.*) That would bring up that 1·20*d.* to 2·4*d.*?—Yes.

5421. Are you aware of any such charge as 2·4*d.* for three miles upon the canal to compare with this?—2·4*d.* per mile! No, certainly not.

5422. Would it be possible, with a toll of 2·4*d.* over these three miles, for any traffic to come on to your canal in competition with the railway charges?—There has been in the past a compensation toll at the Digbeth Junction of 3*d.* and 4*d.*; 3*d.* in one direction and 4*d.* in the other.

Chairman (to Mr. *Erskine Pollock.*)] When you say three miles, what does that represent—the whole of the traffic that goes on this canal and on from Farmer's Bridge to Salford Bridge and Farmer's Bridge to Digbeth. I will put it in another way. Does that three miles mean the distance over both branches?

Witness.] No, it does not.

5423. What distance is it from Farmer's Bridge to Salford Bridge?—From Winson Green to Salford, 4¾ miles.

5424. That is outside Birmingham?—It is the boundary of the city.

Mr. *Erskine Pollock.*

5425. The distance is three and a-half miles; then the operation of the Table of charges, which is 1·2*d.* for the first three miles, would make the charge for the first three miles and a-half, 2·4*d.*, and for the next half-mile, instead of 0·75*d.* it would be 1·50*d.*?—Yes.

5426. That is how the three miles comes in?—Yes.

Chairman.] Section (D) would not apply?

Mr. *Erskine Pollock.*

5427. You see these sections are not to apply to coal, cinders, coal, coke, culm, and slack?—Yes.

5428. In respect of which traffic do your apprehensions arise with regard to the bonus mileage toll?—There is a very considerable traffic. Bricks, for instance, road-stone, and other materials that come into the canal at Digbeth Junction and also at Salford Bridge.

5429. Stone and undressed material for the repair of roads is not to apply; but with regard to bricks it would apply?—Yes.

5430. About what quantity of bricks come over your canal at present?—I could not answer that question.

5431. A considerable traffic?—Yes, a considerable traffic.

5432. Bricks are not one of the excepted articles to this section?—No.

5433. May I take it that with this bonus toll upon your system, bricks would not be able to compete as against the railway?—No, certainly not. The railways carry now a very large portion of the bricks.

5434. Is there any other traffic besides bricks?—Yes, timber and other things.

Chairman.] The witness speaks of timber and other articles; that may mean anything.

Mr. *Erskine Pollock.*

5435. When you say timber, do you mean timber of all sorts and kinds, or other things in addition to timber?—Other things in addition to timber.

5436. Such as what?—Chemical ashes.

Sir *William Houldsworth.*

5437. Ashes are exempt?—Not chemical ashes.

Mr. *Erskine Pollock.*

5438. Do you do a large traffic in chemical ashes?—Not a large traffic, but there is a traffic.

5439. You ask at any rate if this clause is put in at all, that chemical ashes should be exempted?—The clause as it stands is simply a re-enactment of the compensation toll.

5440. What

Mr. *Erskine Pollock*—continued.

5440. What is the compensation toll at Digbeth Junction?—The compensation toll is at present upon all commodities passing out of the Warwick Canal into the Digbeth branch or any part thereof, 3*d.* For coal, coke, iron, ironstone, lime, limsetone, and minerals passing from any part of the Digbeth branch into the Warwick Canal 3*d.*, and for all commodities except coal, coke, iron, ironstone, lime, limestone, passing from any part of the Digbeth branch into the Birmingham Canal, 4*d.*

5441. This compensation toll or bar toll, has for many years been a great obstacle in your judgment to developing the traffic?—Yes.

5442. And the order that the Board of Trade as brought up before their Lordships to-day did away with these compensation tolls?—It was so.

5443. This is getting it back by a side wind?—Yes.

Cross-examined by Mr. *Bidder.*

5443*. Am I right, to begin with, that the main traffic interchanged between our canal system and yours is coal?—A large portion of the traffic is coal, unquestionably.

5444. I am told, and you will be able to tell me whether the figure is right, that the total traffic interchanged is a little over 100,000 tons a-year?—That is wrong.

5445. Perhaps you will tell me what is right?—About 400,000 tons; 150,000 tons of traffic passes Salford Junction into and out of the canal, so that your figure must be wrong.

5446. That is all coal?—Not all.

5447. Can you give the Committee any idea of the amount of traffic to which this question that you are raising applies. I suggest that it is very small?—You are wrong again.

5448. I am prepared to be told I am wrong, but what is the amount?—I have not got the figures because this thing was sprung upon us this morning, otherwise I would have been prepared, but I should say that it was one-fifth of the whole traffic, 70,000 to 80,000 tons.

5449. Does that 70,000 or 80,000 tons go through Birmingham, all of it?—Yes, certainly; I should like first to explain that in that 70,000 or 80,000 tons I do not include any portion of the traffic that passes under a through toll.

5450. Is any of that 70,000 or 80,000 tons coal?—None.

5451. At the present time all that traffic pays what you call the compensation toll or a bar toll?—No, it does not.

5452. Does not all the traffic interchanged pay a 3*d.* or 4*d.* toll?—No, it does not; none of it at Salford Bridge pays the compensation toll.

5453. I think we are speaking of different traffics; you are speaking of the traffic that we interchange with you at Digbeth Junction?—Partly at Digbeth Junction, and partly at Salford Junction.

5454. Allow me to point out that the Committee have the map before them. The traffic that we exchange at Salford Junction has nothing to do with this question, because it goes on to your canal before it comes into Birmingham?—No, not necessarily.

Mr. *Bidder*—continued.

5455. Draw the wand in a north-westerly direction, that is our canal system, is it not?—Yes.

5456. At Salford we have a junction with your canal?—Yes.

5457. Obviously, traffic coming from the north-west along our canal system, and then going to Salford on to yours, never goes over the Birmingham Canal at all?—No.

5458. Then for traffic coming from the Dudley direction, and along your canal, there is a junction there with your canal?—Yes, there is.

5459. Consequently that traffic will never go to Salford, because it can get to you nearer?—That traffic does not go to Salford, excepting for this purpose, that it may answer, and does answer, the purpose of people to go by the upper route to get to Salford Bridge down the Eleven Locks.

5460. I am right, with the possible exception that the traffic which we interchange with you at Salford has nothing to do with this question of clause at all?—It has; you propose to levy a double toll upon the whole canal down to Salford Junction; therefore if your view is correct you will make things worse than they are now.

5461. Parts of our canal to which this double charge would apply are between Winson Green Road, Winson Green Junction, with the Worcester and Birmingham Canal at the Worcester Bar; the junction with the Warwick and Birmingham Canal at Digbeth, and the junction with the Birmingham and Warwick Junction Canal at Salford Bridge; that is the part of the canal to which this applies?—Yes.

5462. Now, traffic coming to Salford and exchanged at Salford, coming from the north-west, does not come within the purview of the clause at all?—Most clearly it does. You propose to levy a new toll upon that portion of your canal.

Chairman.] I do not think the witness understands the question.

Mr. *Bidder.*

5463. Take traffic coming from Walsall or Cannock and exchanged with you at Salford Bridge; is it not obvious that that does not come within the purview of the clause at all?—I apprehend, and should say it does not.

5464. Now, take traffic coming from the other direction, Dudley; that traffic exchanges with you there. It does not go to Salford Bridge?—It may go to Salford Bridge.

5465. It will not naturally?—It does naturally. You are wrong.

5466. As a matter of fact the traffic that would be affected by this clause is mainly traffic exchanged at Digbeth Junction?—To a large extent.

5467. Now deal with that; does not that traffic at the present time pay a bar toll or compensation toll of 3*d.* or 4*d.*?—Yes, most iniquitously.

5468. It pays a charge of 3*d.* or 4*d.* at the present time?—Yes.

5469. That charge under the proposed amendments will be abolished?—Yes, and another substituted for it.

5470. Will

Chairman.

5470. Will you answer the question, either it will or will not be abolished?—The existing charge will be abolished.

Mr. *Bidder.*

5471. And in its place you will have this double charge system within the range specified in the clause?—Yes.

5472. I think you mentioned bricks as being a most important class of traffic in which you are interested?—Yes, it is a large item.

5473. Where do bricks come from?—Oldbury.

5474. How many miles do they pass over our system?—Seven and a-quarter miles.

5475. Therefore on the Birmingham Canal they pay not 1·20*d.* but 0·75*d.*; do you follow me?—Not exactly.

5476. On page 4 of the amended Schedule the bricks come in the second category, A. and B. The charge is 1·20*d.* for three miles, and then after that, 0·75*d.*?—Yes.

5477. Consequently it is not correct, as my learned friend Mr. Erskine Pollock said, to say the charge is double 1·20*d.*; it is double 0·75*d.*?—No, it is 50 per cent. more than it is at present.

5478. At present that brick traffic pays a penny per mile all along?—It pays a penny per mile, and the compensation toll, 3*d.*

5479. You say that to get to Digbeth it goes three miles through Birmingham?—I am not certain about that distance; it may be more than three miles.

5480. At present it pays 3*d.*, plus 3*d.* at the junction?—No.

5481. Three miles at a penny, 3*d.* I am taking within Birmingham; it pays toll at a penny per mile, and pays 3*d.* bar toll?—Yes.

5482. Assuming that the distance through this portion of the canal is three miles, that is 6*d.*?—Sixpence. Under the clause that you object to it will pay for the three miles double 2¼*d.*, that is 4½*d.*?—Yes.

5483. Therefore it is a reduction upon that traffic of 1½*d.* per ton?—No, it is not.

5484. Why not?—You must take into account the increase of toll within the boundary of the city and over it.

5485. How many miles is it?—Four miles.

5486. Three miles at an increase of 0·2*d.* and one mile decreased a farthing, that is 0·6*d.* increase and 0.25*d.* decrease; that is one-third of a penny increase?—It is more than that.

5487. No, it is not. Just let us work it out fairly. I take it from you that the distance from Oldbury to Digbeth is seven miles?—Seven and a-quarter miles.

Chairman.] The question is what the charge is now between Oldbury and Digbeth.

Mr. *Bidder.*

5488. May we agree to take the distance as seven miles?—No, because it is not so.

5489. What is it?—Seven miles charged at the mileage rate of 1*d.*, that is to Farmer's Bridge.

5490. That is 7*d.*?—Yes.

5491. And then 3*d.* to the end of the journey?—No, 4*d.*; it is 11¼*d.*

Mr. *Bidder*—continued.

5492. It pays 11¼*d.* at the present time?—Yes.

5493. Now work it out under this amendment that you object to: three miles at 1·2*d.*, that is 3·6*d.*?—Yes.

5494. One mile at 0·75*d.* until it gets to the Birmingham portion; do you follow me?—No.

5495. The first three miles at 1·2*d.*?—Yes.

5496. The next mile before it gets to the Birmingham district 0·75*d.*?—Why one mile?

5497. Because after three miles under this Schedule the rate is lowered to 0·75*d.*, and it has not got yet within the Birmingham range; therefore the fourth mile is 0·75*d.*?—I do not understand.

5498. Have you seen the amendment? Your own Counsel says it is so. Have you any gentleman here who can help you; have you got before you the amended Schedule?—Yes.

5499. Do you observe that the rate for three miles is 1·2*d.*, and then for the next 10 miles 0·75*d.*?—Yes.

5500. Now take a ton of bricks coming from Oldbury; for the first three miles it pays 3·6*d.*?—Yes.

5501. Then there begins the 0·75*d.* charge; it goes for one mile—(is that right?)—before it comes within the Birmingham range?—Yes.

5502. Therefore it pays 0·75*d.*?—Quite so.

5503. That makes 4·35*d.* so far?—Yes.

5504. You have got three miles in Birmingham, for which it pays a double charge, 1½d. a mile?—Yes.

5505. That is 4½*d.*?—Yes.

5506. That is altogether 8·85*d.* unless I have made a mistake?—Yes.

5507. So that the result of this change is a reduction on the traffic that you are interested in to the extent of 2¼*d.*—two pence and one third?—Yes.

5508. Then how can you tell the Committee that that will injure your traffic?—It is going to impose an entirely new charge upon it.

5509. I draw attention to the fact that by your own admission it is a reduction in the charge?—You have dealt with a portion of the traffic, and excluded the remainder.

5510. It is not you who pay; it is the freighters who pay, and they agreed to it?—That is nonsense.

Re-examined by Mr. *Erskine Pollock.*

5511. The trader would pay the toll, but if the toll is prohibitive the trade will go some other route, and you would lose it?—Yes.

5512. Will you pay anything under B.?—Exceptionally there might be something payable; probably there would be something at some of these locks, and certainly at Farmer's Bridge.

5513. We must add on to the 9¼*d.* something under B., which we do not dispute?—Yes, the present charge at Farmer's Bridge.

Chairman.] I understood you to say, Mr. Pollock, that you objected to Class C. and not B.?

Mr. *Erskine Pollock.*] That is so; but Mr. Bidder put to him what he would have to pay under

under the new system, and though we do not object to B. we must add that charge.

Mr. *Bidder.*

5514. I find there is one flight of locks, Farmer's Bridge, at which they must pay, therefore I must qualify my former figure, instead of 8·85*d.* it would be 9·85*d.*; still it is a reduction of 1½*d.* (To the *Witness.*) At present you pay 11½*d.*; does traffic come to you from Oldbury, as it is, for the 11½*d.*?—Yes.

5515. What do you agree will be the rate after this Schedule is passed?—To Digbeth Junction a trifle under 10*d.*; but to Salford Bridge the charge is entirely a new charge in addition.

5516. Only there was no compensation toll at Salford Bridge before?—Yes.

5517. That is something entirely new?—Yes.

Sir *William Houldsworth.*

5518. You would not be dissatisfied with the charge between Oldbury and Digbeth, because it is a reduction?—Upon that particular class it is so, but in the higher class it is not.

Mr. *Erskine Pollock.*] From Oldbury it would be so, because you get the operation of the 10 miles in; but take traffic originating within three and a-half miles—

Mr. *Bidder.*] Will you ask if there is any traffic?

Mr. *Erskine Pollock.*

5519. Let me call attention to the traffic that might come three miles or three and a-half miles; have you any traffic arising in Birmingham itself coming under this heading?—There is distributive traffic, but very little originating traffic.

5520. What do you mean by that?—Distinguishing between traffic which originates on the Birmingham Canal and comes to us, and traffic that comes from our canal and is distributed upon the Birmingham Canal.

5521. You mean traffic coming from places to Birmingham and broken up and redistributed?—It does not necessarily follow that it is broken up.

Chairman.

5522. But the traffic there really is originating in Birmingham?—There is very little originating in Birmingham; but this applies to any going from us to wharves in Birmingham for distribution.

Mr. *Erskine Pollock.*

5523. What traffic would there be of that class?—A considerable traffic.

5524. To be delivered in Birmingham within three miles?—Yes.

5525. Will you give the Committee an instance of it?—Timber, for one thing.

Mr. *Bidder.*] I do not know that I asked anything about timber.

Mr. *Erskine Pollock.*] Just so.

Mr. *Bidder.*] I asked him what was the important traffic, and to deal with it; he said bricks was the important question.

Sir *Richard Paget.*] He also mentioned timber and chemical ashes.

Mr. *Erskine Pollock.*

5526. My learned friend Mr. Bidder is right in this sense. I thought he meant timber coming from the Birmingham Canal to him; you meant timber coming from the Warwick Canal to Birmingham?—Some portion of it.

5527. How does that compare now with the charges proposed?—This is enlarged, unquestionably.

5528. Can you give us the figures?—If the distance is only three miles, the rate proposed is 1·30*d.*, which doubled makes 2·60*d.*

5529. Whenever the distance is a short one, and you cannot apply the 0·75*d.*, there will be a loss upon the toll, but when you get beyond the second distance it would pull down the toll and bring it either equal or a little less?—Yes.

5530. But when it is confined to the first three or four miles there would be an increase in the charge to you?—Yes.

5531. I will leave Digbeth and go to Salford; is there not local traffic which may come from your canal and be delivered *viâ* Salford at that point or arise at that point and come to your canal?—There is not any traffic excepting coal.

5532. Then I do not see quite what traffic at Salford you allude to?—Any traffic coming from Oldbury at present; it originates there, passes along the Birmingham Canal, and comes in there, and will be subject to this additional toll.

Chairman.

5533. That is a long distance, is it not?—No, your Grace.

The Witness is directed to withdraw.

Mr. *Erskine Pollock.*] Will your Grace give me a moment to consult with my clients?

Chairman.] Yes, certainly.

Mr. *Erskine Pollock* confers with his clients.

Mr. *Bidder.*] If your Grace will allow this discussion to be interrupted, I have an intimation that the parties may agree. I will go on with other matters, so as not to waste your time. Passing to the amendment on page 6, Clause 19, that is a mere clerical amendment, and that is so as to the second one. The third amendment is at line 30, after the words "cannel" to add the words "tap-mill forge and." That is in favour of the trader. Then, in line 36, there is an alteration of "one farthing" per ton per mile to "0·35*d.*" and in the next line to alter "three pence" to "2·85*d.*" That is part of the arrangement with the traders, a part of the adjustment in connection with the contract tolls, so as to disturb the existing state of things as little as possible. The other numerical amendments are the same thing repeated in case of passing over two or three contract systems. I do not think any objection is made to them. Nobody objects to those.

Chairman.] We pass those.

Mr. *Bidder.*] Then there is an amendment on page 7, Clause 19, line 43, to add the following words, "slag works, pottery works, terra cotta works,

works, lime works, glue works, electric power producing works, electrical material manufacturing works, and water works." That gives the benefit of tolls to certain trades which have sprung up of late years, and which are not entitled to the benefit of them at the present time.

Mr. *Shakespeare.*] Upon this the Midland Freighters' Association want the word added in after the word "Power" and "Light" Producing Works. I understand the canal company agree to that.

Mr. *Bidder.*] We do not object to that. Will your Grace kindly insert after the words "Electric Power" the words "and Light"?

Mr. *Shakespeare.*] We think the words are sufficient.

Lord *Herries.*] "Electric Power and Electric Light."

Mr. *Bidder.*] I think that will be more accurate, "Electric Power and Electric Light."

Chairman.] We agree to that.

Mr. *Bidder.*] The next Table is a modified schedule of charges. Nobody has anything to say to that. My learned friend asks me to pass that amendment over and take something else.

Table A., Scale 1. and Scale 2 is postponed.

Chairman.] We pass over the whole of page 4.

Mr. *Bidder.*] Yes, to the top of page 5, we postpone that. Then an amendment on page 8 is the next amendment. After Section 22 to insert a new section, as follows: "Nothing herein contained shall affect the right of the company to make any charges which they are authorised by any Act of Parliament to make in respect of any tramway." No question arises upon that.

Chairman.] That is passed.

Mr. *Bidder.*] The next amendment is on Clause 23, at page 8. That is a definition, it is a consequential amendment, excepting a tramway.

Chairman.] That is passed.

Mr. *Bidder.*] Then upon "Part 2, Exceptional Charges," after the word "tugs," to insert the words "steam vessels," and then follow the other two amendments, which we spoke of and which the Committee agreed to when I referred to them before to enable the company to make a charge not exceeding a penny per ton.

Mr. *Shakespeare.*] Upon this on behalf of the Midland Freighters' Association we want the words "or canal bank" taken out. This gives them a charge "for permitting loading or unloading merchandise upon or over a towing-path." That we do not object to, but "or canal bank" we want taken out, because in many cases the side of our works ——

Mr. *Bidder.*] You need not argue it; we will cut out the words "or canal bank."

Chairman.] We strike those words out.

Mr. *Bidder.*] Then they must go out of both amendments. That disposes of everything except this amendment, which has been postponed.

After an interval,

Mr. *Bidder.*] I am afraid we must go on.

Mr. EDWARD JOHN LLOYD, called again; and cross-examined.

Mr. *Bidder.*

5534. A QUESTION on the timber question; did I understand you to refer to timber traffic coming over your canal and delivered at wharves in Birmingham?—Partially so.

5535. How much a year is there of that timber traffic?—I could not tell you without reference.

5536. Is not it the fact that it is quite an inappreciable traffic?—No, it is not quite inappreciable.

5537. How many tons?—I cannot tell you without reference.

5538. I suggest that it is an inappreciable traffic; if you do no not agree with that you must tell me how much it is?—I cannot tell you.

5539. That traffic is carried at through rates?—No, not necessarily.

5540. It is a matter of fact?—No, it is not. Traffic carried from the Worcester Canal into our canal is not carried at through rates.

5541. It comes from London?—You are talking of one traffic, I am talking of another.

5542. In regard to timber traffic, I understood you to say that it came from London?—No, I did not say that.

Mr. *Bidder*—continued.

5543. As a matter of fact, does it come principally from London?—No.

5544. Where does it come from?—Largely from Gloucester.

5545. Timber that comes from Gloucester does not go near Salford?—No; the timber that comes from Gloucester may be divided into two parts: that which comes through by water and enters the Birmingham Canal at the Worcester Bar and comes from the Worcester Bar and Farmer's Bridge Locks to us, and timber brought by the Midland to our Salford sidings and there unloaded for distribution.

5546. Let us take timber that comes over our canal to you—you say it comes to Worcester Bar—does it go to Digbeth Junction?—Yes.

5547. And pays the 4*d.* bar toll?—It pays two bar tolls, 4*d.* and 3*d.*

5548. Besides mileage?—No.

5549. How many miles does it traverse our canal?—Two miles and a-half, nearly.

5550. As against 7*d.* which it pays at present, what would it pay under this arrangement?—Very much less.

Mr. *Bidder*—continued.

5551. Then what is your grievance; in each class of traffic you refer to you admit that it will pay much less than at present; and, moreover, as I said before, it is the freighters that pay this, and they are satisfied with the arrangement?—I very much doubt their satisfaction.

Mr. *Bidder.*] I am prepared to call evidence if the Committee wish it, but I am content to leave the matter where it is.

Chairman.] Mr. Pollock may have other witnesses.

Mr. *Erskine Pollock.*] I have no other witnesses to call, but I may have a few words to say upon this.

Chairman.] You have no other witnesses to call?

Mr. *Erskine Pollock.*] No.

Chairman.] Then we will hear what you have to say.

Mr. *Erskine Pollock.*] Your Grace will see that the complication that arises in this question is because we have to look to Sub-section C. of the new proposed clauses; and to see how it will work, we have to turn to the new Table of charges to be brought up presently. It is true that where traffic may have travelled 12 or 14 miles over the canal, you may get any number of cases where the rates would not be higher than the maximum at present. My learned friend Mr. Bidder in opening made a great point of the enormous sacrifice he had made to certain traders. And then with an enormous sacrifice to certain traders it is said to be sufficient in the case of other traders to prove that they are paying the same rates now, or the same rates within 1*d.*, that is when we are dealing with 10 miles plus the three miles. But it is clear that so far from there being any saving when we are dealing with the distance of three miles or four miles there is no such saving, and in place of 1*d.* a mile plus the compensation toll 3*d.*—making it for three miles 6*d.*, or for four miles 7*d.*—you would have for three and a-half miles 3·2*d.* doubled, which makes it 6·4*d.*, and you get 6·4*d.*, as against 6*d.* before on three miles, plus, if it happens to go through any lock, from 1*d.* to ¼*d.* under Sub-Section B. Therefore, for traffic going short distances, so far from reducing the maxima it is either leaving them the same or slightly increasing them; and from what Mr. Lloyd has said it is clear that there is a certain amount of traffic distributed on the Birmingham Basin itself. So far as that traffic goes it is clear we must pay this double toll. Now as to traffic going further on, my learned friend Mr. Bidder selected Oldbury. There it is shown that as against a present maximum of 11¼*d.*——

Mr. *Bidder.*] I did not select Oldbury.

Mr. *Erskine Pollock.*] I will deal with that. I have only seen this Schedule this morning, and I have not had time to hunt up particular cases; but taking that particular case of Oldbury, what is the result? That, as against the maximum at present of 11¼*d.*, it is proposed now to have 9·85*d.* But that maximum of 11¼*d.* includes 3*d.* compensation toll or bar toll, compensation toll being one of the greatest evils on all the canals all over the kingdom, and one of the very things which the Board of Trade in all these Schedules have been so anxious to get rid of. So see what the result is. What happens is that you get the compensation toll abolished in the Schedule, and there is nothing to take its place in the Board of Trade Order; but by arrangement made for the benefit of certain traders who trade in Birmingham itself that compensation toll is to be put back again, not for the traders in Birmingham themselves, but for those traders who carry on the through traffic, and who are affected by anything that affects the trade that comes on to the Birmingham and Warwick Canal. It is attempted to be said that the traders are satisfied. You see we are in this difficulty. Many traders who have seen the Board of Trade Schedule may have said, "We are satisfied with the Board of Trade Schedule;" but if you turn to it you can see that is altered by these amendments, especially as applied to the Table that is to come up. The double mileage would not apply to the 1·0*d.*, but it would apply now to the 1·20*d.* on the first three miles. So there is an increase of ·2 straight away on all this traffic. There is not only that increase, but the operation of this new amendment is to turn the 1·0*d.* into 2·4*d.* I do not think the Warwick and Birmingham Canal can be prejudiced by the statement that the trade are against us, inasmuch as the traders interested in the traffic that comes to us are only very partially represented here, because they did not know the figures they would have to meet. If so, it cannot be a right thing, in addition to this greatly raised Schedule, to add on this double mileage for this junction with the Warwick and Birmingham. It must be obvious that if the railway rate is in any way less, the whole thing will go on that has been going on; the traffic will go on by the railway, and no through traffic can be developed on the Warwick and Birmingham. If this Schedule is passed in this form there can be very little doubt that the traffic will find its way by railway and will not find its way by the canal.

Chairman.] Before you address us, Mr. Bidder, we will consider whether we need hear you.

The Committee deliberate.

Chairman.] We need not call upon you, Mr. Bidder, to address the Committee; we reject the amendment.

Mr. *Bidder.*] There is one other amendment which has been passed by; that is the amendment beginning at the bottom of page 3 of the agreed amendments; that is, "Page 9. Omit the proposed Table A., Part 1, and insert instead thereof the following Table;" and then follows a Table with the maximum charges, which is an embodiment of the arrangement that has been come to. I think I ought to draw the attention of the Committee to the fact that the maximum charges in Scale 2 are modified by this description,—"Applicable to cannel, tap, mill, forge, and coal cinders, coal, coke, culm, and slack, not conveyed and intended to be *bonâ fide* and exclusively used and consumed at a district work

work under the provisions of Section 19 of this Schedule."

Sir *Richard Paget.*] What does "not conveyed" mean?

Mr. *Bidder.*] It means not conveyed for the purpose of consumption at a district work. Coal, coke, and so on, intended to be exclusively used at district works has always had advantageous rates, and this is for "coal cinders, coal, coke, culm, and slack not conveyed and intended to be *bonâ fide* and exclusively used and consumed at a district work:" then the rate is, on a certain part of the canal, 1*d.* a ton per mile, with a maximum of 1½*d.* for wharfage charges, and on the remainder of the canal 1·40*d.*, with a maximum wharfage charge of 1·50*d.* Then you will see this follows:—"Notwithstanding anything in this Schedule contained, the tolls (except the Netherton Tunnel gross toll) for cannel, tap-mill, forge, and coal cinders, coal, coke, culm, and slack, to which Scale 2 is applicable, if conveyed by way of the Birmingham Top Level to any part of the canal in Birmingham, or passing on to any other canal in Birmingham by way of the Birmingham Top Level, shall not exceed 9½*d.* per ton, but in any other case shall not except 9*d.* per ton." So that the 9½*d.* and the 9*d.* are maximum limitations of the gross toll. That has been worked out, and has been assented to as an adjustment of the tolls with as little disturbance as possible of the existing payments. It does cut down the revenues of the company considerably, but they are obliged to put up with a certain sacrifice.

Chairman.] Under the heading, "Scale 2," we find the words, coal, coke, culm, and slack, "not conveyed and intended to be *bonâ fide* and exclusively used and consumed at a district work." What is the meaning of "not conveyed?"

Mr. *Erskine Pollock.*] It is the contract system limitation of tolls.

Mr. *Bidder.*] If you look at Section 19 of the Order at page 6, you will see this, "For coal, cannel," and so on, "conveyed in a boat on such parts only of the canal as are within one or more contract systems to district works within a contract system to be *bonâ fide* and exclusively used or consumed at the said district works." These are, you may take it, exceptionally favourable rates. Then Scale 2 covers the coal, coke, and so on, not so conveyed and consumed.

Sir *Richard Paget.*] Do not you want a definition of that phrase "contract system."

Mr. *Bidder.*] I think there is a definition of it. On page 7, Sub-section 2, there is a definition of what "contract system" means. There are three contract systems defined—namely, the Wednesfield system, the Dudley system, and the Birmingham system. Each of those contract systems is carefully defined and described. And then Sub-section 3 defines what "district works" means. And there is a sub-section to be added to which we have agreed including electric power and electric light works.

Chairman.] How is this cannel, and so on, to get to these works unless it is conveyed?

Mr. *Bidder.*] It is open to criticism, I must admit. I would suggest that after the word "slack" instead of "not conveyed" you might put "other than such as is conveyed."

Mr. *Spicer.*] I would like to ask whether this exclusive dealing, so to speak, is a continuation of an old arrangement.

Mr. *Bidder.*] Yes; it is a continuation of this compensation and district toll arrangement, which is about 50 years old, under which these three districts of Wednesfield, Dudley, and Birmingham have been defined, and under which within each district coals might be taken for consumption at any district works at a certain maximum gross toll—a maximum gross toll if the coal never went out of the one district, of 3*d.*; if it went from one district to the second 4½*d.*; and if it went from the second into the third of 6*d.*, irrespective of distance travelled. The arrangement now made does as nearly as possible preserve the rate of charge which has obtained in these districts for the last half century. The Committee will notice that the Board of Trade themselves in the Order proposed to retain in principle this system of districts and contract toll. Everybody who has approached the question has come to the conclusion that you cannot construct a reasonable Schedule which does not recognise these existing contract tolls.

Chairman.] You have not answered my question, how district works are to get this cannel and coal, and so on, unless it is conveyed.

Mr. *Bidder.*] Your Grace puts an awkward question. I admit it cannot go unless it is conveyed. I might suggest that it might be altered in the way I proposed. My learned friend Mr. Moon now suggests another amendment; perhaps that would be simpler. Suppose we strike out the words "conveyed and," then it will read, "coal, coke," and so on, "not intended to be *bonâ fide* and exclusively used." I think that would meet your Grace's difficulty.

Mr. *Erskine Pollock.*] I will endeavour to make the amendment clear, but I am in this difficulty: My amendment was drawn to the Board of Trade Schedule; therefore I will take the Board of Trade Schedule. The Board of Trade Schedule in the print on page 9 is divided in A., Division 1——

Chairman.] Have you an amendment?

Mr. *Erskine Pollock.*] Yes, I will apply it to the amendment which my learned friend Mr. Bidder has now brought up.

Sir *Richard Paget.*] Is your amendment upon the paper?

Mr. *Erskine Polloch.*] After page 10. I practically move them altogether; but by taking the blue paper in my hand I can explain what the amendment is. Your Lordship sees "A., Division A. (except Division 1)." My amendment is to take out "A. (except Division 1)," and make A. and B. all in one column. I make no distinction between "A., Division 1," and "A. (except Division 1)"; I take it as "A." and "B." I take the lower rate of 0·50*d.* for both of them. Then in the next column, "For the first three miles or any part of such distance" in the case of "C.," and "for timber, 1, 2, 3, 4, 5," I make an alteration and strike out the distinction between the first three miles, and make it "the

"the first 10 miles"; that is to say, I merge Column 2 and Column 3 into one, and make it "for the first 10 miles." Your Lordship sees how it stands in the Board of Trade Schedule. Now I will take the Table brought up this morning, "A., Division 1," of the Board of Trade blue Table says 0·50*d.*; that remains with no alteration until we come to the third system of miles first, and the next 10 miles, that is the next 10 miles after the first 13 where there is a reduction from 0.30*d.* to 0·25*d.* That is the present condition of the Table, which my learned friend Mr. Bidder brings up. But now, if we take "A. (except Division 1)" and compare it with the new Table brought up, your Grace sees that for the first three miles the Board of Trade Schedule is 1*d.*, and the Schedule now brought up is 1·20*d.*; but then for the next seven miles, instead of being 0·50*d.* it is 0·75*d.*, and for the next 10 miles after that there is a reduction instead of an increase, and it is 0·25*d.*, instead of 0·30*d.* In C. there is an increase of 1*d.* to 1·20*d.* from 0·65*d.* to 0·85*d.*, then a reduction from 0·60*d.* to 0·50*d.*, and another reduction for the remainder of the distance; and in 1, 2, 3, 4, 5 the 1*d.* becomes 1·45*d.*

Chairman.] The third column is reduced.

Mr. *Erskine Pollock.*] Yes, there is a slight reduction; that is to say, when you come to the eleventh mile you get a slight reduction; instead of being 0·70*d.* it is 0·60*d.*

Chairman.] It is the 14th mile in the agreed amendment?

Mr. *Erskine Pollock.*] Yes, it is the tenth mile in the Board of Trade Schedule, but it becomes the 13th mile in the new Table brought up. The first observation is upon the enormous increase in these tolls as brought up to-day before the Committee compared with the Schedule appearing in the Board of Trade Order, and we are the people affected by this. Of course, all the rights of the Birmingham Canal inside of the Birmingham Basin, all who have contract tolls, have their rights preserved and bettered, because we know this will be a great loss to the company; but so far as traders proposing to come right through and use the canal as a portion of a route coming from another canal going through to the Warwick and Birmingham Canal are concerned they are met with an enormous increase.

Mr. *Bidder.*] Do you represent those traders?

Mr. *Erskine Pollock.*] I represent the Warwick and Birmingham Canal.

Chairman.] The traders agree to this, and you now appeal to us on behalf of the traders.

Mr. *Erskine Pollock.*] No, I am interested in the trade coming from other canals using the Birmingham Canal as part of a through route. When you look at the blue Table and look at the Table brought up now, is it fair to say that there are no traders here? Have the traders upon the Birmingham Canal had the slightest notice of the enormous increase in the tolls put on here? I do not attempt to represent them; but when it is said that the whole trade is satisfied, the whole of the trade have only this morning come to know whether they are satisfied or not.

Chairman.] You have said that very often.

Mr. *Erskine Pollock.*] I will not say it again.

Chairman.] I do not mean it has been said by you, but it has been said before this Committee.

Mr. *Erskine Pollock.*] At this stage of these Inquiries it is very difficult to put a novel argument. But each particular case has its particular incident, and no doubt in this case it is a remarkable fact that we should be met with a great increase upon the traffic going through to another canal. Is not the explanation obvious? The London and North Western Company are willing to develop the Birmingham Canal, and so long as it is within the Birmingham Basin; but the whole scheme of this Schedule is to raise the rates where it will be traffic coming through that canal and going on to other canals. The result of that would be to develop traffic by another route from Birmingham to London. That is where this Schedule sins throughout; punishes the through trade, and an enormous loss is made in respect of local trade; and when you have this large addition upon the Schedule it demands an explanation. The Board of Trade have settled one Schedule, and an entirely different Schedule is brought up to-day. Will your Grace look at the Schedule brought up to-day and compare it with the Schedule which they would have brought up if the case had come on yesterday morning?

Chairman.] We need not go into that. All that we have to do with now is this qualification to the Schedule in the Bill; you must confine yourself to the amendment now before us. What foolish ideas they had in their heads yesterday morning we need not trouble ourselves with.

Mr. *Erskine Pollock.*] It is useful in this way: when I say the Schedule they were prepared to ask for yesterday morning is considerably lower than they ask now——

Mr. *Bidder.*] It is nothing of the kind.

Chairman.] Because Mr. Bidder was extremely unreasonable yesterday that is no reason why it should be brought against him to-day.

Mr. *Erskine Pollock.*] The Schedule they brought up yesterday is lower; that is what they asked the Committee to give yesterday. It is wearisome to me, because I have an uphill task; but I must call your Lordship's attention to one item. Just take "A. (except Division 1.)," and "B.," and see what they proposed to bring up. They were only asking 1*d.* To-day that 1*d.* has sprung to 1·20*d.* There are other instances, but I point out to you that they themselves up to yesterday morning were prepared to accept a lower rate than they now ask the Committee to give.

Mr. *Bidder.*] You must not say that.

Mr. *Erskine Pollock.*] I have the two cases before me. I have shown one particular instance. "A. and B. per ton per mile for the first five miles, or any part of such distance, 1*d.*; for the first three miles or any such distance, 1·20*d.*" If traffic is going three miles, it is clear that it will have

have under to-day's Table to pay 3·6*d.*; yesterday it would have paid 3*d.* I admit that when you get beyond that and come to the two miles, it may work out for the traffic a little bit lower, and bring it back to the same thing as yesterday, but the fact is not disturbed that for the first three miles the 1*d.* has sprung to 1·2*d.* Surely it is material? These are figures which we say were exorbitant, but they were the figures that they were content to ask for yesterday, and they have swollen to the extent I have indicated this morning. Surely a Table of this kind is not to be taken because you are told the people in Birmingham are satisfied with it.

Chairman.] I do not want to allude to the unreasonableness of Mr. Bidder yesterday; but in comparing the two yesterday, the first column was for five miles, and to-day it is for three miles; therefore they come to the lower figure sooner to-day than they would have done under the proposal of yesterday.

Mr. *Erskine Pollock.*] I did say that. I said, when you come to the fourth mile, no doubt they will come lower, because in the fourth mile they come to 0·75*d.*, whereas in the fourth and fifth mile they remain at a penny; but for the first three miles of their canal for traffic coming on to the Warwick and Birmingham Canal by Digbeth Junction, supposing it arises within three miles, upon the Birmingham Canal, it must pay this increase from 1*d.* to 1·2*d.*, and by your decision you have turned the 1·2*d.* into 2·4*d.* That will be the result of the traffic coming on to the Warwick and Birmingham Canal. Surely that is a very material change in the position of the Warwick and Birmingham Canal to-day to what the amendments were before this Committee yesterday. Under these circumstances I will call Mr. Lloyd before you, and endeavour to show you through him how it must affect the traffic on the Warwick and Birmingham Canal.

MR. EDWARD JOHN LLOYD, is recalled; and further Examined, as follows:

Mr. *Erskine Pollock.*

5551.* HAVE you got before you the Table now brought up by the Birmingham Canal?—Yes.

5552. First deal with your coal traffic; and we must not forget what my learned friend, Mr. Bidder, pointed out, that coal has to pay a maximum toll of 9*d.* or 9¼*d.* in particular cases. Dealing with that first, just take one or two instances of coal carried along the canal and compare it with the coal rate on the railway, because I believe you can take a wharf on the canal near the railway station at the point of starting, and a wharf on the canal near the point of destination?—Taking Cannock Chase as a point of origin, and taking the Warwick and Birmingham Canal wharf nearest to the Birmingham Canal in Birmingham.

Mr. *Bidder.*

5553. That is close to Digbeth?—Yes. There is the Birmingham Canal Wharf, Warwick and Birmingham Canal Wharf, and the Railway Wharf all adjoining.

Mr. *Erskine Pollock.*

5554. Give me the rates first on the canal and then on the railway?—It costs by canal 2*s.* 4¼*d.*

Mr. *Bidder.*

5555. At the present toll of 9*d.*?—No, taking the new proposed maximum toll of 9*d.*

Mr. *Erskine Pollock.*

5556. How is the 2*s.* 4¼*d.* made up?—One shilling and threepence halfpenny, the cost of the boat, including steerage and boat hire, 9*d.* the toll, 1½*d.* the wharfage, 2¼*d.* the toll on the Warwick and Birmingham and on the Birmingham and Warwick Junction Canal.

5557. What does that bring it to?—Two shillings and fourpence farthing.

5558. Comparing it with the railway rate, what is the railway rate?—The railway rate, including truck hire, is 2*s.*, so that there is 4*d.* profit; excluding any toll for us, the railway is still 2*d.* the cheapest, even if we charge no toll.

Mr. *Erskine Pollock*—continued.

5559. Even if you knock off your own 2¼*d.*?—Yes.

5560. What would the tolls be at this moment for the same distance?—The Birmingham Canal is 1*s.* to Salford Bridge; ours is 3⅜*d.*, from which you deduct a halfpenny for the wharfage; the present charge is only 1*d.* instead of the 1½*d.* proposed to be allowed.

Chairman.

5560.* From the same point?—From the same point to the same point.

Mr. *Erskine Pollock.*

5561. The result is that you take very little coal between those two points?—There is a certain amount of coal trade carried on; there are three or four small coal dealers, not selling any very large quantity, but still there is coal sold upon our wharf.

5562. If this new rate is imposed, as you have given it to us, it will be impossible to develop a coal trade between these points?—Clearly, the railway has got the power to close all the wharves in Birmingham, at any rate upon our side of the town.

5563. With these charges as proposed?—Yes.

Chairman.

5564. Do you mean that the now carries it in opposition to the canal?—Yes.

5565. And successfully?—Yes, and successfully.

Mr. *Erskine Pollock.*

5566. What is the existing railway rate?—Two shillings.

5567. What

Mr. *Erskine Pollock*—continued.

5567. What is the rate upon your own canal per mile the Schedule settled last year?—The Schedule settled last year gives us a minimum of 5*s.* per boat, say 2*d.* a ton, and it extends to nearly four miles; then beyond that the Schedule gives us considerably higher rates than we are now charging; our through rate upon coal is now 6½*d.*

5568. How many miles would it be over your canal?—Twenty-two miles.

5569. Has it always been your great object to try and develop this coal trade on your canal, and bring coal through from Cannock Chase?—Yes. I may say to the Committee that at the time of this arrangement between the London and North Western Railway Company and the coalowners we carried 160,000 tons in one year over the canal besides the local traffic; at the present moment we do not carry a ton.

5570. The railway takes all the coal?—Yes.

5571. How does the cost of your Warwick and Birmingham Junction Canal compare with the Birmingham Canal?—Our Birmingham and Warwick Junction Canal is, if not the most expensive, nearly so, of any ordinary canal in England; it cost 47,000*l.* a mile to construct. It is entirely in the city of Birmingham, with the exception of 300 yards at the southern end, and in every respect it is one of the most costly canals there is in England.

Chairman.

5572. It is within the limits of the city?—It is within the limits of the city, with the exception of 300 yards.

Mr. *Erskine Pollock.*

5573. Comparing the Schedule of the Birmingham and Warwick Junction Canal and the Warwick and Birmingham Canal, you have A. and B. bracketed together, and a maximum toll of 0·50*d.* per ton per mile?—Yes.

5574. The only limitation upon that is the minimum toll?—Yes.

5575. Was that settled last week by this Committee?—Yes.

5576. Except that the Birmingham Canal has dividends guaranteed by the railway company, can you see why it should be in a different position to the Birmingham and Warwick Junction Canal?—No; the cost of maintenance is less than ours, and every item of management, with the exception of rates and taxes, is less than ours; and with regard to rates and taxes the difference is not very material.

5577. As to the net revenue available for dividend, how does that revenue compare with yours?—Their percentage of profit is as 57 upon their receipts, and our percentage of profits is only as 30½.

5578. Take one more instance of railway carriage. Can you give me the rate from the Warwickshire coalfield, and show how it will be affected?—Yes. The Warwickshire collieries lie between Polesworth and Tamworth; there is a group of collieries there which supply a very considerable portion of the coal in Birmingham.

5579. Where could that coal be put upon the canal?—At the collieries.

5580. What canal would it be on?—On the Coventry Canal.

Mr. *Erskine Pollock*—continued.

5581. Can you give me the name of the place?—Polesworth; Pooley Hall.

5582. It would come along the Birmingham and Fazeley Canal to Salford Bridge, and then over your canal?—Yes.

5583. Where would it be delivered?—I have taken the same point as I took in the former instance—the Fazeley-street Wharf.

5584. Could it come by railway between those two same points?—Yes, there is the Midland.

5585. Where do they come?—They come from the same collieries.

5586. It could be put straight on to the Midland?—Yes, they have a coal wharf within a very short distance of the Birmingham Canal Wharf.

5587. Then there again it could be taken from the collieries and put upon the wharf at Fazeley Bridge close to your wharf?—Yes.

5588. What would be the rate by canal under this new proposed rate charge?—Two shillings and fourpence three farthings.

5589. How is that made up?—Steerage, including boat hire, 1*s.* 4*d.*; toll on the Birmingham Canal, 9*d.*——

Mr. *Bidder.*

5590. Is that the present toll, or the toll under the Order?—That is the new 9*d.* limitation; 2¼*d.* to the two Warwicks—the Birmingham and Warwick Junction and the Warwick and Birmingham, 1·50*d.* for weighing and wharfage.

Mr. *Erskine Pollock.*

5591. What does it come to altogether?—2*s.* 4·75*d.*

5592. Would there be a toll on the Coventry Canal?—Yes, there is a toll on the Coventry Canal in addition which should be added; it varies from 2*d.* to 3*d.* according to the collieries.

5593. What would that bring it to?—Two shillings and eightpence.

5594. Two shillings and sevenpence three farthings?—Yes, or 2*s.* 6¾*d.* for the nearer collieries.

5595. What is the minimum railway rate from the same point, from these collieries down to the wharf at Birmingham?—One shilling and sixpence.

5596. Does that include the truck hire?—No; the truck hire is 4½*d.* besides.

5597. It is 1*s.* 10½*d.* comparing like with like?—Yes.

5598. Two shillings and sixpence three-farthings or 2*s.* 7¾*d.* as against 1*s.* 10½*d.*?—Yes.

5599. With that maximum of 9*d.* it is not likely that you will get much coal on your canal from these collieries?—No. The proof of that is this: we have a joint station with the Midland close to Salford Bridge; the Midland Railway Company bring coals from the Warwickshire collieries, of which I have just spoken, by rail, to those sidings which are partly the property of the canal company and partly the property of the railway company, and the coal is there loaded into boats for distribution into Birmingham and even goes out on to the Birmingham Canal.

5600. You

Mr. *Erskine Pollock*—continued.

5600. You mean if it is brought to the Midland Wharf, it is distributed down the canal?—Yes.

5601. It is worth while to tranship it?—Yes.

5602. So that if that 9*d.* remains, there is no ghostly chance of getting any of that coal at all?—No, we have no chance.

5603. It is also said that you will enormously increase the payment to be made by the London and North Western Company to make up the 4 per cent. dividend upon the guaranteed stock. If the tolls were reduced and it was made a coal-carrying canal, would they have an enormous increase of traffic upon the canal?—No doubt they would have a large increase of the traffic. They say at the present moment that they have no traffic, consequently whatever comes must be in addition. I should like to give the Committee another instance. Coal goes from these particular collieries of which I have spoken to Polesworth, close to the Birmingham Canal, within two to five miles of our junction at Fazeley, along the Coventry Canal, 24 miles; along the Oxford Canal, 28 miles; and enters our canal at the southern end at Napton, and comes back within 15 miles of Birmingham by our route.

Chairman.

5604. How does the Board of Trade Schedule in this Bill compare with your present tolls that you charge upon the canal?—The Board of Trade Schedule is very much beyond our maximum.

5605. Then, if the Board of Trade Schedule is passed as it is in the Bill, you would be still under the same inconvenience as you are now in getting coal?—Only to a certain limited extent.

5606. But you cannot carry it now?—We do not carry it now.

5607. And if the Board of Trade Schedule was passed you would be under still more unfavourable circumstances than you are at the present moment?—No.

5608. I understood you to say that the Board of Trade Schedule was higher than your present maximum?—Yes.

5609. You do not understand. You say that the proposal in the Bill is higher than what your present maximum is?—It is so.

5610. And you cannot even with the present maximum carry coals to compete with the railway company, is that so?—I cannot see that it affects the question.

5611. What you said is that at the present time with your present tolls you cannot compete with the railway company?—Quite so.

5612. And you say that the tolls proposed by the Board of Trade in the Bill are higher than what you have power to charge now?—No; higher than our actual charge, not than our power.

5613. But if the charges were made according to the Bill you will still be unable to carry the coal?—Not necessarily; there would be a considerable relief.

5614. If they are higher than you have now you would still be unable to carry the coal?—I do not exactly see that.

Mr. *Erskine Pollock.*

5615. His Grace's question is this: Supposing the Committee were to pass Table A. as originally settled by the Board of Trade, that is to say, not the Table now before you, would you be enabled to carry any coal between those points, even if it was done for you?—I doubt very much whether we should to any extent.

Mr. *Erskine Pollock*—continued.

5616. You think you might then between some points carry it, though not between all?—That is so.

5617. But now you could not carry it at all?—We do not carry it at all.

5618. With the new proposed Table it is out of the question that you should carry it?—It is subject to limitation.

5619. You mean the 9*d.*?—Yes.

5620. That is the only chance you have?—Yes.

5621. Then the real way to help you would be not to reduce the Table so much as to reduce the 9*d.*?—That would help us.

5622. If you got the 9*d.* reduced to 8*d.* it would be far more use to you than to cut down the Table?—The distance is only 12 miles, and if you reduced it to 0·50*d.* we should get it for 6*d.*, and at present it is 1*s.*

5623. At present it is 1*s.*?—Yes, within a fraction.

5624. The 9*d.* may be very useful to people having a very long distance to travel upon the canal, but it is no use to you for this coal that will only come 12 miles?—It is not a sufficient relief.

5625. The way to get that relief is, as you say, to strike out the higher figure in Column 1?—Yes.

5626. Now pass away from the coal traffic. Is there any other traffic to which you want to call the attention of their Lordships besides the coal in this Table?—I have not got before me the exact particulars of any other traffic.

5627. What other traffic would be principally affected by it. What sort of traffic besides coal traffic; what traffic do you want to get on to the canal that you do not get now?—Any traffic that is carried in the classes is exceptionally heavily treated.

5628. Have you any particular class of traffic in your mind? I thought your canal might be available to some particular class of traffic in addition to coal?—There is a very large quantity of traffic of different kinds carried over the canal other than the London traffic. The London traffic is dealt with by the through rates agreement.

5629. That is all you wish to say to the Committee upon this Table?—The charges of the Birmingham Canal upon all traffic outside the through rates toll are practically such as prevent the traffic coming.

5630. As compared with your charges upon the Warwick and Birmingham Canal?—Yes. I can give one instance within a short time. As to cullet, which is broken glass, there was an inquiry for a considerable quantity of this article to go to a place near to Stourbridge. The canals between Birmingham and London agreed to accept a toll of 2*s.* 2*d.*; the Birmingham Canal quoted a toll of 1*s.* 11*d.*, and 3*s.* 10*d.* for about 16 miles.

Mr. *Erskine Pollock*—continued.

5631. The result was that the traffic went by railway?—Yes, it was eight times our rate.

5632. The rate they quoted it at prevented your getting the traffic, and it went by railway?—Yes.

Chairman.

5633. Is there much traffic in broken glass?—Not a large traffic, but it is only one instance of what has occurred. It applies to a very large number of articles.

Cross-examined by Mr. *Bidder.*

5634. Did I correctly hear you as telling the Committee that the cost of maintenance of your canal is as much as ours mile per mile?—No, certainly not, but ton per ton it is more; our cost of maintenance is higher.

5635. As a matter of fact, our canal costs just twice as much per mile as yours to maintain?—I should say not.

5636. Very nearly?—No.

5637. It is rather more than twice, I am told; are you aware of that fact; have you ever looked at the Board of Trade Returns?—What I say is this ——

5638. Just answer the question?—If you take the Board of Trade Return for 1888, no doubt you are correct.

5639. Do you wish to add anything?—A canal carrying seven and a-quarter millions of tons in the year is not to be compared per mile with a canal that is carrying less than half-a-million tons. If you take the cost per ton carried in every item of cost, with the exception of rates and taxes, our cost is the highest.

5640. I do not want to select cases; but I assume the two cases of figures that you put before the Committee are those which you think best illustrate the case that you want to bring forward?—I thought they fairly illustrated it.

5641. Now take the first one. Coal traffic from Cannock Chase to, I think you said, the Fazeley-street Wharf, which is upon your canal; what, under the present charging power of the Birmingham Canal Company, does that coal pay at the present time to us?—One shilling.

5642. What, if the Committee approve of this amended schedule, will it pay to us in future?—Ninepence.

5643. So that the effect of the Schedule is to reduce our charging power by 25 per cent.?—Just so.

5644. Do you object to that?—No, I do not object to it, but I say it is not enough.

5645. What distance does that coal pass over your canal from Cannock Chase?—From eight to 20 miles.

5646. Let us take the average of 14 miles; for that it pays us now 1*s.*, and will, if the Committee sanction the Schedule, pay 9*d.*; how far does it go upon your canal?—Three miles.

5647. To the Fazeley-street Wharf?—Yes.

5648. I thought it was close to the junction?—You are wrong; it enters our canal at Salford Junction, and the distance is over three miles.

5649. I understood you to say that the wharf was close to the junction?—Close to Digbeth Junction.

Mr. *Bidder*—continued.

5650. Then it comes on to you at the Digbeth Junction?—No; it comes on to us at the Salford Junction.

5651. The Cannock Chase coal?—Yes.

5652. Does not it come on to you at Digbeth?—No; it must come up your 11 locks and down the six to get there.

5653. Now take the other case. Warwickshire coal, Polesworth to Tamworth. What does it pay at the present time?—One shilling.

5654. What will it pay if the Schedule is passed?—Ninepence.

5655. Again a reduction of 25 per cent.?—Yes.

5656. Your amendment is (and we may confine it to coal mainly) practically that the rates shall be 0·5*d.*?—Yes; the same as our own.

5657. That is the same as proposed in the Schedule which was brought before the Committee last year?—Yes.

5658. You were here last year?—Yes; I was.

5659. Are you aware that the effect of that amendment, which is identical with your own, was to take away from the Birmingham Canal Company 65,000*l.* out of its entire revenue of 82,000*l.* a year?—You have asked me a question that I am not able to answer.

5660. Were you here last year in the proceedings before the Committee?—Yes.

5661. You have already said that what you propose now is practically identical with what was before that Committee?—Yes.

5662. Was it not proved before that Committee, on the evidence of the Birmingham Canal Company' that the effect of the proposal before the Committee was to take away 65,000*l.*, of the 82,000*l.*, the revenue of the canal company?—I believe it was so stated.

5663. And you know the Committee rejected the Bill?—That is a matter of fact.

5664. And your proposal is identical?—Yes.

Mr. *Erskine Pollock.*] It was stated, no doubt, by my learned friend Mr. Littler in the opening on the canal.

Mr. *Moon.*] It was proved, at Question 3464. I asked Mr. Alford the question, "What would be the total loss per annum?—(*A.*) £65,409."

Mr. *Erskine Pollock.*] That was the total loss upon the whole canal.

Re-examined by Mr. *Erskine Pollock.*

5665. That loss is based upon the supposition that no new traffic will come to the canal, but that the rates will be lowered dealing with the existing traffic coming?—Yes.

5666. It does not prove in any way that the result of lowering the rates would be to bring a very large coal traffic to the canal?—Or any other traffic.

5667. What is your contention; what would the effect be of lowering the rates to 0·50*d.* with regard to the traffic?—No doubt it would very largely increase it.

Mr. *Bidder.*

5668. Just look at the list of traders who are petitioning the Committee, and tell me whether it

Mr. *Bidder*—continued.

it does not represent all the important trades interested in the traffic (*handing a Petition to the Witness*) ?—I do not know.

5669. Are you aware that the Corporation of Birmingham were petitioners here, and that they have assented to this arrangement ?—I do not know that they have assented.

Chairman.] They are not opposing, therefore I assume they are satisfied.

The Witness is directed to withdraw.

The Committee consult.

Chairman (to Mr. *Erskine Pollock.*) We will hear you if you desire to add anything.

Mr. *Erskine Pollock.*] I do not propose to say anything further.

Chairman.] The Committee reject the amendment, and accept the amended Schedule.

Mr. *Bidder.*] That is really all. I am told there is a definition which ought to be added to Clause 23, "The term 'railway basin or railway wharf' means and includes any basin, wharf, landing-place, or place used for or in connection with the transhipment of merchandise from the canal on to the railway or railway siding, or from the railway or railway siding on to the canal.

Mr. *Pelham.*] I shall have an opportunity of going through these clauses, and will make any verbal amendments necessary and report to the Committee.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 5) BILL.

(Regent's Canal.)

Mr. *Pope.*] I am for the Regent's Canal, and my clients are not ready to proceed. Your Grace remembers before this happy agreement had been arrived at in the Birmingham case, upon which I congratulate all parties very sincerely, though it terminates a very interesting Inquiry, the Regent's Canal case was fixed for to-morrow, and the parties had communicated with their respective witnesses that they would be required to-morrow, and we are not prepared with them in attendance now for the purpose of going on this afternoon; so that in truth I am compelled to ask your Grace to adjourn the Regent's Canal case till the time originally fixed, namely, to-morrow morning.

Chairman.] We might hear your opening address.

Mr. *Pope.*] There will be no opening address from me, because we are contented with the Order.

Mr. *Moon.*] The opponents are ready to go on.

Chairman.] What we have done hitherto is this: we have heard the objectors to the Bill.

Mr. *Pope.*] I should have to be heard in support of the Schedule which is in the Bill so far as I know; but to tell you the truth I have requested that my clients should be telegraphed for, and have made every effort to get witnesses here. Personally it would make no difference to me.

Chairman.] You need not call your witnesses until the objectors are here.

Mr. *Pope.*] I shall have to cross-examine, and I do not know the views of my clients.

Chairman.] You know your own views.

Mr. *Pope.*] I have a sort of instinctive knowledge of what their views would be; they would be very much like anybody else's, but I have no specific instruction enabling me to deal with the case satisfactorily. I think if your Lordships were willing to adjourn until to-morrow morning, in all probabilty it would trouble you very much less than if I am driven to fight simply to keep the matter going.

Chairman.] We will adjourn at your request, but I should have thought you were capable of cross-examining without any materials at all.

Mr. *Pope.*] I can undertake to do that if your Grace will allow it; but from my experience of your Grace I was going to say you are rather intolerant of irrelevant cross-examination.

Chairman.] Very well, we will adjourn until to-morrow.

Ordered,—That this Committee be adjourned to To-morrow, at Half-past Eleven o'clock.

Die Jovis, 12° Julii, 1894.

PRESENT:

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Herries.	Mr. Samuel Young.
Lord Hawkesbury.	

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 5) BILL.
(Regent's Canal.)

On Wednesday, 4th July, the following Petitions against the Bill were read:—

The Petition of the Gas Light and Coke Company:

Messrs. *Wyatt and Company* appear as Agents in support of the Petition.

The Petition of the Mining Association of Great Britain:

No Counsel or Party appear in support of the Petition.

The Petition of the Company of Proprietors of the Warwick and Birmingham Canal Navigation:

Mr. *Erskine Pollock*, Q.C., appears as Counsel in support of the Petition.

Messrs. *Taylor*, *Hoare*, and *Pilcher* appear as Agents.

The Petition of the Company of Proprietors of the Grand Junction Canal:

Mr. *Pember*, Q.C., and Mr. *Moon*, appear as Counsel in support of the Petition.

Messrs. *Grahames*, *Currey*, and *Spens* appear as Agents.

The Petition of the North Metropolitan Railway and Canal Company:

Mr. *Pope*, Q.C., and Mr. *Cripps*, Q.C., appear as Counsel in support of the Petition.

Messrs. *Rees* and *Frere* appear as Agents.

Mr. *Pope*.] Your Grace, I do not think it is necessary that I should make many observations in introducing the Regent's Canal Schedule, because practically the questions between us are very small, and I do not think will occupy very much time. But I should like to point out what the Regent's Canal is and its present position. Without going into ancient history it is a canal which stands in peculiar relations to other canals and the general service of the trade, because while it was an extremely costly canal, costing something like 96,000*l.* per mile, at the same time it is rather in the nature of a terminus to other lines of traffic, and is mainly useful in distributing that traffic over different parts of the metropolis, so that in truth the ordinary principles lying at the bases of most canal Schedules hardly apply to the Regent's Canal. All that I need say about the Schedule is this: When we were before the Board of Trade we were met, as now, by the Grand Junction Canal, which is one of the canals dealing with the traffic of the country from the north, depending upon the Grand Junction and also upon an outlet at Brentford for access to the Thames. When we were before the Board of Trade it was suggested that the Schedule, which had been gone into very carefully, and settled as recently as 1882, might be allowed to remain undisturbed, and all that I wish to put the Committee now in

possession of are the circumstances under which the Schedule of 1882 was settled. Originally the Regent's Canal was a canal undertaking pure and simple; it passed through various vicissitudes; once or twice powers were given enabling a neighbouring company to construct a railway upon it; but at last, in 1882, Parliament authorised the purchase of the canal by a company founded for the purpose both of keeping the canal open and constructing a new metropolitan line of railway alongside the canal. The great advantage, of course, was this: that whereas it was thought that another line of metropolitan accommodation was required in the railway sense besides the North London, which was a little to the north of the Metropolitan, an intermediate line through Islington and Paddington and that district, was a desirable thing which could be accomplished by adopting that railway to the line of the canal, and, taking advantage of the various portions of land that had been acquired alongside, by the canal itself; thus a railway could be constructed through the Metropolis without involving a fresh severance, which there must have been if it had been overground, as in the case of the construction of a railway.

The difficulty of metropolitan communication has been, hitherto, either that it must go underground or take such a circuit as to avoid interference with the main lines of thoroughfare and the large bulk of property which would be severed by such a scheme. In the case of the Regent's Canal the severance had already taken place, and the construction of a line of railway alongside the canal would create no fresh difficulty, while it would give an overhead line of communication. Parliament sanctioned that scheme, the main feature of which was the purchase by a railway company, for the purpose, mainly, of acquiring the land of the canal company, of the Regent's Canal. At the same time that it sanctioned the purchase by this new company, it imposed very onerous obligations to maintain the canal efficiently for navigation purposes; because, although the railway to be constructed was partly one which would enter into rivalry with the canal, from the peculiar circumstances of the case, it was thought at that time, as it has been the opinion of Parliament ever since, that railways ought not to be allowed to acquire waterways without very stringent provision that the waterway is to be efficiently maintained. At the same time Parliament settled the Schedule of 1882 in view of the acquisition of the Regent's Canal by the then constituted railway company. Since then the name of the railway and canal has been changed, but that is nothing, it is now called the North Metropolitan Railway and Canal, or something of that kind; but at the time it was the Regent's Canal and Railway that was sanctioned. When we were before the Board of Trade the Grand Junction were there, and I think it was suggested by all of the opponents and by us, the promoters, that we should be satisfied with what Parliament had done in 1882 *simpliciter*, it it should be found to be practicable. I think as between the parties we heard that the Board of Trade agreed that that would be a fair settlement of the question. It having been gone into so lately as 1882 and so carefully, and found to work satisfactorily to all parties, we should have been content, and they would have been content if it had appeared to the Board of Trade a proper way of dealing with the matter. The Schedule as introduced now does not in terms re-enact the Schedule of 1882. I cannot of course enter into the reasons which may have actuated the Board of Trade, excepting that they thought it desirable that the Schedule of the Regent's Canal should be as far as possible in conformity with the Schedules of the other canal. But the outcome is this, that there is a Schedule now presented which, so far as I am concerned for the Regent's Canal, though it does not adopt the Act of 1882, I am content not to oppose except in regard to an amendment of a very small matter which I will explain to the Committee when we come to it in the list of amendments. So that I am here to say this, upon the part of the Regent's Canal, that with that slight amendment we are contented to accept that Schedule as presented by the Board of Trade. I believe my learned friend on the other side would like if he can to have the bargain and arrangement, which undoubtedly we assented to at the time, continued, so as to keep alive.

Mr. *Moon.*] So far as they affect me.

Mr. *Pope.*] My learned friend has made a statement which really introduces a difficulty. I am content to take 1882 as it stands, but I am not content to grasp that part of 1882 favourable to my learned friend upon this Schedule. I must have this Schedule as amended or the Act of 1882; I do not care which.

Mr. *Moon*] Nor do I.

Mr. *Pope.*] But not the part of the Act of 1882 which suits my learned friend. Then possibly it may be that the Board of Trade have some reason for thinking that their Schedule is preferable to the Act of 1882. If the Committee come to the conclusion that to re-enact the Schedule of Tolls and Rates of the Act of 1882 would be a satisfactory solution of the question, it would satisfy the opponents, it would satisfy me. If they come to a conclusion otherwise then I cannot say that I am satisfied; but I am not dissenting from the Schedule which the Board of Trade have brought in translating that Act of 1882 into more modern conditions and phraseology. That really is the only material question which your Grace will have to decide upon this matter. There is a small amendment which when we come to I will deal with, and we shall hear whether the Board of Trade agree to what I propose. At present therefore I may be taken as assenting to the proposals of the Board of Trade.

Mr. *Moon.*] I appear for the Grand Junction Canal Company. My learned friend, Mr. Pope, has opened this case with his usual fairness and usual moderation; and it does seem to me as if it were a question, not between my learned friend, who represents the Regent's Canal Company, and myself, as representing the Grand Junction Canal Company, but between myself as representing the Grand Junction Canal Company, whose tolls will be very much increased by the Provisional Order as it now is before you, and the Board of Trade, which is represented by Mr. Pelham. Your Grace has heard my learned friend,

friend, Mr. Pope, say that before the Board of Trade it was the purpose of all parties, the traders and the Regent's Canal Company, that the Schedule of tolls fixed so recently under special circumstances by Parliament in 1882 should be adhered to *simpliciter*, and that is my position now. I say, either adhere to that *simpliciter*, or adhere to it so far as regards the tolls which were settled for traffic which passes between the Grand Junction Canal, which I represent, and the Regent's Canal, which my learned friend represents. I do not care which way it is. The Board of Trade have not assented to that arrangement between the parties, and perhaps the best way will be for Mr. Pelham to say why the arrangement come to between all parties interested in the canal to maintain the tolls fixed as recently as 1882 by Parliament should be departed from.

Mr. *Erskine Pollock.*] I appear for the Warwick and Birmingham Canal, and we are interested in the same way as the Grand Junction Canal are in this question, and the course suggested by my learned friend Mr. Moon does seem to me to be the more convenient one. These tolls were settled in 1882 by a hybrid Committee of the House of Commons. It was agreed to in the first House, when the Regent's Canal was turned partly into a railway. I do not think I can add usefully anything else.

Mr. *Holman.*] I am instructed for the Gaslight and Coke Company to say that my company will accept either the new Schedule as it stands as a whole, or they are perfectly prepared to accept the old Schedule as a whole. We prefer the old Schedule settled in 1882, but, as my learned friend Mr. Pope said, we are perfectly prepared like the Regent's Canal Company to accept the new Schedule if it is not altered; that is the Schedule brought in by the Board of Trade now.

Mr. *Pelham.*] The case of the Regent's Canal was heard before Lord Balfour of Burleigh and Sir Courtenay Boyle two years ago. There was a considerable fight, I think, about the Thames basin at the end; but apart from that it was generally agreed that the Schedule of Tolls fixed by the Act of 1882 would be acceptable to all parties. For some reason or other, I suppose pressure of time, the Regent's Canal was not introduced in the Provisional Orders last year; and I was instructed by the Board of Trade to deal with all the canals which were not dealt with by the Provisional Orders of last year. It seemed to me that the tolls on this canal were very reasonable as regards the long distance, and somewhat excessive as regards the short distance. I came across a case in connection with the River Lea where the manure refuse from the London vestries was free upon the River Lea, but where it went for half a mile upon this canal 7*d.* was charged for it. I therefore thought it right to give everybody an opportunity of considering the question of mileage tolls; and I issued, therefore, a Schedule saving the toll for the long distances, but giving the mileage toll; I issued a draft Schedule to the different parties who have petitioned. I did not find that the traders responded to this, with the exception of the two gas companies; the other traders all said that the circumstances of the Regent's Canal were not suitable for a mileage toll. I referred again to the Board of Trade, and I was told that the best plan would be to try and translate the present Schedule of 1882 into modern language. I think, after a great many interviews, from what Mr. Pope said, the attempt was pretty successful, though I think there was a slight reduction on some of the long-distance traffic; it reduces them from 7*d.* to 6*d.* on the short distance. Otherwise the Schedule confers on the company all the powers they now have. It was pointed out by Lord Balfour of Burleigh at the inquiry two years ago that there were two important considerations: the first one was whether it was not necessary that the new classification should apply that applies to all other railways and canals throughout the kingdom. It does seem a very desirable thing. In the second place, there was the question whether the distance toll should not be separated from the maximum wharfage charge, so that in the case where a trader had a wharf he should not pay less than a man who used a wharf belonging to a company. Those are the two real reasons why the Board of Trade think it desirable that the modern form of Schedule should apply to this canal.

The amendment which is moved by the Grand Junction Canal Company is really as to the question of through tolls with which the Board of Trade felt that they, at any rate in preparing the Provisional Order, had nothing to do. This was a provision for a lower toll for traffic coming from or to the Grand Junction Canal. It is on page 2 of the amendments.

Mr. *Moon.*] You see there is an alternative amendment on page 3 providing for the retention of the whole Schedule under the Act of 1882.

Mr. *Pelham.*] The whole point of the objection of the Grand Junction Company is that there should be a lower toll for through traffic. That is a thing which the Board of Trade did not feel that they were in a position to deal with, they fixed the tolls for traffic on the canal; through traffic must be fixed by another tribunal in some other way. I do not know that I can do more than submit the case to the Committee. It does seem rather important to the Board of Trade that the classification should apply. It was a very involved classification in the Act of 1882, and it will be the only case where the modern classification is not applied.

Chairman.] What objection have the Board of Trade to re-enacting the Schedule of 1882?

Mr. *Pelham.*] Just those two objections; that there is no provision for the separation of the wharfage charge from the tolls; and, what is rather more important, the importance of having a uniform classification of articles for all canals.

Mr. *Pope.*] As to the wharfage, that is not of much moment, because the company have no wharves. Therefore we should not make any charge for wharfage, because we have no wharves to charge for; and though that is a matter which the Board of Trade look at as a question of uniformity and symmetry it is not of any practical moment in this particular case.

Chairman.] In what way does the Schedule of 1882 differ from the Schedules in all other Canal Acts?

Mr. *Pelham.*] There is one point which I did not mention; that is, that there is one column for goods in boats if towed by the owner, and another column for traffic if the boats are towed by the company; that, under the ordinary Schedule of the Board of Trade, the towage is left to be settled by arbitration, but the Table in the Act is a very peculiar classification indeed.

(*The Table is handed in.*)

Mr. *Pope.*] The Act of 1832 had 13 different Schedules; the particular Schedule put in is the 13th.

Mr. *Pelham.*] I think your Grace will notice that there are very special tolls to and from the Great Western Railway, the London and North Western Railway, the Midland Railway, the Great Northern Railway, and the Great Eastern Railway. That is a lower toll than to other places. "Coal to any point 6*d.*" That is lower than the toll from any other place. That was a provision that the Board of Trade, at any rate, did not feel at liberty to sanction. It seemed in the nature of an undue preference.

Chairman.] Are you able to say, from having gone into this matter, whether the traders are in favour or opposed to your Schedule, and whether they are dissatisfied with the Schedule of 1882?

Mr. *Pelham.*] The traders, I understand, are satisfied with the Schedule of 1882; they are also satisfied with the other Schedule, except the adjoining canal companies, who cannot be said to represent the traders.

Mr. *Moon.*] I have six or seven traders whom I can produce, who object to the Board of Trade proposal.

Mr. *Pope.*] It is right that I should say that when the matter was before the Board of Trade all parties, the traders and the adjoining canal companies, and everybody else, agreed amongst themselves that, subject to the revision of the Board of Trade in the translation of that agreement, the Schedule of 1882, if preserved, would be satisfactory to everybody.

Sir *Richard Paget.*] Is the Schedule of 1882 proposed to be translated into other terms by the Bill?

Mr. *Pope.*] That is what Mr. Pelham claims to have done; to have translated with sundry variations the Schedule to the Act of 1882 into the present Schedule.

Sir *William Houldsworth.*] I understand you, Mr. Pelham, to say that in translating it the long-distance traffic would be the same as it was in 1882, practically.

Mr. *Pelham.*] Yes, in most of it.

Sir *William Houldsworth.*] And some of the short-distance traffic would be rather reduced.

Mr. *Pelham.*] Yes, rather reduced, from 7*d.* to 6*d.*

Mr. *Moon.*] If the translation had been a literal translation of the Schedule of 1882, nobody would have been here to object; it is because it is not a literal translation, but a free translation, that we object.

Sir *William Houldsworth.*] I want Mr. Pelham's view of what he thought he had done.

Mr. *Moon.*] I shall prove, if I am called upon, that as it affects traffic going on to the Grand Junction Canal, the proposals of the Board of Trade would raise the tolls from 50 to 100 per cent.

Mr. *Pelham.*] What I want to make clear is this, that if it was not for the Grand Junction Canal, and if it was not for the through traffic, the tolls proposed by the Board of Trade would be thoroughly satisfactory. But there is a certain part of the Schedule of the Act of 1882, as I understand, which relates to the Grand Junction Canal traffic.

Lord *Herries.*] Take the example of coals. I see that in the old Schedule of 1882 coals to any point were charged 6*d.*; now, in your Schedule for three miles, you charge three times 6*d.*

Mr. *Pelham.*] That is so. That is merely to and from certain railway stations. As regards the general traffic, this Schedule fairly represents it; but as regards traffic going to and from the railway stations, no doubt that is so. I have made no exception in favour of the railway companies. If the Committee look at the third division of this paper, that is the part that is urged on behalf of the Grand Junction Canal; if it is necessary, they say, we would like to have the whole thing put in, but it is only necessary for us, the Grand Junction, to have that paragraph.

Mr. *Pope.*] You must not put that in without putting in the rest. I would rather have the Schedule of the Board of Trade than have that inserted in a Schedule without the rest of the Act of 1882.

Mr. *Erskine Pollock.*] The Warwick and Birmingham are affected by the paragraph at the end "through traffic to or from Birmingham" to the London basin, that is the last article of all. I take it also the Grand Junction are interested in that.

Mr. *Moon.*] Yes, certainly.

Mr. *Pelham.*] That is through traffic which the Board of Trade thought they could not deal with.

Mr. *Erskine Pollock.*] This Committee can deal with it.

The Committee deliberate.

Chairman.] We will deal with the Bill as brought before us by the Board of Trade, and hear the objections, dealing with them as they come up.

Mr. *Pope.*] There is a small amendment I shall have to propose which will come before my learned friend, but I am content to reserve it till this larger question is disposed of.

Mr. *Moon.*] I am in this position as regards that, unless my amendment is accepted by the Committee, I might have to oppose the amendments proposed by my learned friend.

Mr. *Pope.*] I only mean to propose one.

Mr. *Moon.*] Yes, but even that I might have to oppose; I should not oppose it if my amendment were accepted, because it is part of the arrangement

arrangement of 1882, and therefore I could not ask to maintain one part and reject the other.

Chairman.] Does the Gas Light and Coke Company propose their first amendment on page 1 ?

Mr. *Holman.*] I do not propose to move that.

Chairman.] Then come the amendments proposed by the North Metropolitan Railway and Canal Company.

Mr. *Pope.*] That is the Regent's Canal itself, that is the new name. I propose to move the second, not the first. I do not propose to move the amendment on page 3, line 39.

Chairman.] At the bottom of the page there is another amendment proposed by the Gas Light and Coke Company.

Mr. *Holman.*] I do not move that.

Mr. *Pope.*] You had better leave both my amendments standing; they are merely verbal alterations that will be necessary in the event of your adoption of the only other amendment I shall propose, which is on page 7, after line 36, insert "articles loaded or unloaded in the waterway to pay an additional 3*d.* per ton." That is the only amendment I shall propose.

Chairman (to Mr. *Pope*).] You do not move the amendments at the top of page 2 ?

Mr. *Pope.*] No.

Chairman.] Now we get to the amendments proposed by the Grand Junction.

Mr. *Moon.*] I appear for the Grand Junction Canal with my learned friend, Mr. Pember. As the Committee now know our object here is to maintain the statutory bargain that was come to in 1882. The Grand Junction Canal is very much interested in this question, because the Grand Junction Canal is the waterway by which goods go which come to London, and which either are distributed by means of the Regent's Canal, or which arise upon the Regent's Canal and pass away from the Regent's Canal—the route by which those goods go is the route of the Grand Junction Canal to a very great extent. No less than 183,000 tons have been exchanged during the past year between these two systems, and the amount of tonnage which is being exchanged is rapidly increasing. Before 1882 the Regent's Canal was an independent canal, and at that time there were certain tolls in force in respect of traffic which passed between the Grand Junction Canal system and the Regent's Canal system ; but in 1882, as my learned friend has told you, a company was formed to make a railway and to acquire this canal, and Parliament, jealously watching the interests of the canal routes throughout the country, nominated for the purpose of considering that question a Select Committee instead of the usual Private Bill Committee, which Committee was presided over by Sir Joseph Bailey, and the proposal to make the Regent's Canal a railway canal was vehemently opposed both by traders and by the canal company whom I represent. It was vehemently opposed, and the Committee took the view which the canal company submitted, that it was necessary if this canal passed into railway hands that the tolls which the company would charge upon traffic passing off that system should be regulated. Accordingly the Bill was passed upon the express condition that a clause should be brought up fixing for ever the tolls which the Regent's Canal could charge for traffic which passed to other systems; and that is the Schedule which has already been handed to the Committee providing not through tolls but the toll which might be charged upon the Regent's Canal in respect of this particular traffic. It does not fix a toll from the point of origin to the point of destination ; it simply fixes what toll can be charged upon the Regent's Canal in respect of traffic which passes to points of destination beyond the Regent's Canal. That was accepted by the canal company and by the traders, and by all the parties as a final solution of that question. Then came the Railway Rates Act, 1888. Under the provisions of that Act an Inquiry was held in 1892, before Sir Courtenay Boyle and Lord Balfour of Burleigh, and then the traders and the canal company were heard. Mr. Cripps said, in his address to Lord Balfour of Burleigh : "You will understand, my Lord, what I am saying is in order that there should be no mistake, that we are perfectly willing to accept the tolls and charges as accepted in the year 1882, and we believe that suits all the traders and all the opponents because they are all covered by the point which my learned friend Mr. Littler is now urging." Then it was stated on behalf of the traders that they did accept that and they asked the Board of Trade to allow that settlement to be accepted. Then Lord Balfour of Burleigh said this : "We feel bound to ask you, &c. (*reading from the proceedings before the Board of Trade*). The Schedule as deposited by the Regent's Canal Company did not propose to preserve these tolls, it proposed other tolls, but that Schedule was withdrawn on the hearing before Lord Balfour of Burleigh, and a Schedule preserving these tolls was at the time this took place before the Board of Trade. Then, in answer to that, Mr. Littler says : "Practically you have the whole of the trade here, &c." (*reading from the proceedings to the words*), "and then we will deal with the other and larger question hereafter." So it was left in that way in 1892. Lord Balfour of Burleigh and Sir Courtenay Boyle had been besought by the canal company and the traders to continue in their Schedule the existing state of things. That Order did not come before the Joint Committee last year. The Inquiry took place before the Board of Trade in 1892, but the Bill was not presented to the Committee in 1893 ; and I think very likely it was not presented to the Committee in 1893 because the Board of Trade felt that the tolls they would have to sanction would probably be much higher than those in the case of other canal companies which were being dealt with last year. Probably it was thought by the Board of Trade that it was undesirable that an exceptional Bill should be dealt with at the same time as Bills of a normal character. In order to preserve what the Board of Trade then regarded as being a matter of importance, why should a Parliamentary bargain between parties be ripped up without any case being shown for it ? I put it as high as that. I say that the arrangement of 1892 was a Parliamentary

mentary bargain to which we were parties, and that Bill was only passed upon the terms that we should have those tolls fixed for traffic passing between our canal and theirs ; and in the same way it was a Parliamentary bargain as regards all the other tolls then fixed in the Schedule now before you.

Now, uniformity may be desirable ; it was then certainly felt desirable by the Board of Trade, but the Board of Trade have entirely departed from that principle in Bills which have been before this Committee. Take, for instance, the Birmingham Canal Bill, which was passed yesterday ; could anything be more diverse from what had been called the standard Schedules of the Aire and Calder and the Leeds and Liverpool, than the Schedule contained in that Bill ; it was a lump of exceptions from beginning to end. The Committee accepted tolls which in that case had been fixed, not by Act of Parliament, but which had become fixed by custom, and on the faith of which works had been erected ; those tolls were preserved, not as mileage tolls, but as gross tolls— 3½*d.*, 4*d.*, and 6*d.*, which related to contract tolls, no matter how far the traffic had been carried. And no doubt Mr. Pelham, who has had to consider the question of 60 or 70 canal companies in different parts of the country, governed by entirely different circumstances, has felt himself bound to depart very largely from that exact system of uniformity. In this very Schedule before the Committee the classification which is proposed for the Regent's Canal is not uniform with the classification proposed for the other canal companies. If you look at Table A. you will see for the first three miles, which of course is a departure from the 10-mile column adopted last year, it is 3*d.* per ton per mile.

Sir *William Houldsworth.*] We may take it that the classification on page 8 is the same.

Mr. *Moon.*] Yes; that is the same, except so far as it is varied by this clause. I am not concerned to argue that the classification for the Regent's Canal is to be different from the classifications for other canals. This Schedule of the Act of 1882 made the same toll for all commodities. I say, do the same here. It would not be the first time that that has been done. One of the model Schedules last year related to the Paddington branch of the Grand Junction Canal, which you see upon that map, upon the left hand of the map, the light blue, that is the Paddington arm of the Grand Junction Canal, and that extends for 13 miles. What do I find there? Maximum tolls per ton per mile 1·50*d.* for all classes ; just exactly what there is in this Schedule attached to the Act of 1882, except that it is not per ton per mile, but a gross sum ; but the classification is the same in the Grand Junction Act as regards the Paddington arm, the classification is not altered. One objection that Mr. Pelham makes to the Schedule of the Act of 1882 is that in that Act there is a column for towage—so there is—that is if traffic is towed the company may charge so much more ; he says that is a departure from the ordinary Schedule, because in the ordinary Schedule the payment for towage is to be governed by arbitration. That was because you could not fix a toll in the other cases. The Aire and Calder came and said, We cannot tell what would be proper toll to fix in relation to towage; it must be left to arbitration, because it is so uncertain ; but this navigation is only eight and a-half miles long, and it is not uncertain. The whole object of the procedure which you are now engaged on is, if tolls can be fixed, to fix them. That is the object of the procedure, not to leave anything uncertain ; always let the trader know what he has to pay, and so, though it is a departure from the form of the Schedule, so far from its being contrary to the principle upon which the Schedules are framed, it is carrying out the principle upon which they are framed of making the charge certain rather than leaving it to uncertainty and litigation.

Mr. *Pelham.*] The Board of Trade do not object to that.

Chairman.] What is it that the Board of Trade do not object to?

Mr. *Pelham.*] Fixing a sum as regards towage.

Mr. *Moon.*] Mr. Pelham agrees that it would be desirable where towage can be fixed to have a sum fixed for towage.

Sir *William Houldsworth.*] What is the reference to tonnage?

Mr. *Pelham.*] The last column in the 13th Schedule.

Mr. *Moon.*] The only other objection that Mr. Pelham raised, besides the classification and the towage, was the question of the division of wharfage from the other charges. That objection has been disposed of by my learned friend Mr. Pope, who says there is not any wharfage chargeable upon this canal. What I should say is this : If the traders come and say we are content to have things as they are, though it may not quite conform strictly to the lines which have been laid down in other cases, the traders are the best judges, and it is not for the Board of Trade, or even for the Committee, to say, because we desire to see the principle of uniformity introduced, we will therefore do something that the traders do not want to have done, and what will be adverse to their interest, if it is done.

I have not said what the effect of the traffic will be going to the Grand Junction Canal if the Board of Trade proposal is adopted. Mr. Pelham suggested that his Schedule was a translation of the figures given in the Act of 1882. Now, you will see that that is quite impossible. Take, for instance, traffic going to and from the Grand Junction Canal (and I deal with that traffic, because it is the traffic I am interested in), the Hampstead Lock is to be charged 7*d.* two and a-quarter miles, that will be 6·75*d.*, that is in Classes A. and B. ; under the provisions of the old Act it would be 7*d.*, therefore there is a reduction in A. and B. of a halfpenny. But when you come to Class C., and the Classes 1 to 5, instead of being 3*d.* it is 4*d.* a mile, and instead of 7*d.* you get 9*d.*, that is raising it by 2*d.* Now take the second point, called the Islington Tunnel traffic, that goes 3¾ miles ; the existing toll under the Act of 1882 is 8*d.* The Provisional Order proposes 9·15*d.*; that is a rise of 1·15*d.* When you come to the Islington Tunnel for the classes

classes in C. the charge for the Islington Tunnel, at present 8*d.*, is proposed by the Board of Trade to be raised to 12·45*d.*; that is 4·45*d.* stuck on. Then Old Ford is 6¾ miles, existing tolls, 9·50*d.*; proposed tolls, 9·75*d.* in A. and B. That is a very small rise. But in Class C., and 1 to 5, the 9·50*d.* at present is raised to 14·25*d.*

Mr. *Pope.*] We may take it that in Classes A. and B. there is no practical difference which we should either of us make much fuss about; but the principal difference between the old 1882 Schedule and the Board of Trade Schedule arises in respect of Class C. and the number classes.

Mr. *Moon.*] Not only that, but I have to go to another subject.

Sir *William Houldsworth.*] In the second one there is a rising from 8*d.* to 9·15*d.*

Mr. *Pope.*] In the case of A. and B. there is a small rise on the distance to the Islington Tunnel; there is a small rise on the distance from Old Ford, but it is less on the distance to Hampstead-road Lock.

Chairman.] That is with regard to A. and B.?

Mr. *Pope.*] Yes. Then in the other classes the Schedule would give the canal company a considerably higher toll than this arrangement with the Grand Junction Canal in 1882.

Mr. *Moon.*] I have the Thames, it is eight and a-half miles right down to the end. That is the full distance upon the canal; A. and B. 10*d.* now, 10·10*d.* in the future. Classes 10*d.* now, and in future 15·30*d.*, there again is a considerable rise; so that even with regard to A. and B., and even with regard to that traffic, which is now mentioned in the Board of Trade translation, they would give increased charging power in every instance except the shortest; there the charging power would be reduced to a small extent, but A. and B. are not the important classes; C. and the number classes are the important matters for the traffic passing on to the Grand Junction Canal. They are not the most important classes, though there is a large traffic. Then, when you come to the last portion of the Schedule of 1888, namely, through traffic, to and from Birmingham, which is extremely important, both in the point of view of the canal, and in the point of view of the public, that toll was fixed at 6*d.* and 7*d.* for all classes, and that toll of 6*d.* or 7*d.* is raised, even with regard to A. and B., to 10·10*d.* So that on all traffic going to Birmingham the toll will be raised from 6*d.* and 7*d.* to 9*d.* and 10*d.*, a rise of 3*d.* and 4*d.*; and in the classes it will be raised from 6*d.* and 7*d.* to 15*d.* or 15½*d.*, or double. Therefore, the Committee will understand as the canal company depend very largely upon traffic which passes along this canal, and the traders pass a large quantity of traffic on to the canal (because the Grand Junction Company are not carriers, they only take a toll; the carriers are all bye-traders trading upon the two canals), that such a rise of tolls as this is a matter of very great importance to them, and one which they regard with very considerable apprehension.

Mr. *Pope.*] If the Board of Trade have considered the matter at all, it being a matter of through rates, they would not have sanctioned such an increase as to 1*s.* 3*d.* over the agreed toll of 6*d.* They have left that case alone to be dealt with by somebody else.

Mr. *Moon.*] I will tell you why it is not an ordinary case of fixing tolls with regard to through traffic. I have myself argued that when you fix tolls upon a canal you should not consider what the effect was upon traffic going a long distance; that what you have to deal with is the canal before you, and not the through traffic passing over it. But that is not this case. This is a case where Parliament has said the traders trading upon the Grand Junction Canal shall have the use of the Regent's Canal for a certain toll, and we have got that right from Parliament now, and we ask Parliament to continue to us the right that we have got as a part of the Parliamentary bargain which was assented to. This very question came before the Committee in the Lower Medway case; the Upper Medway Navigation had the right to trade through the Lower Navigation upon lower terms than traders only using the Lower Medway, and the Upper Medway came and asked for a continuance of that exemption. I was for the Lower Medway, and that exemption was continued to them (I appeared for the Lower Medway and agreed to that), and extended to all bye-traders upon their navigation; but the Board of Trade agreed to that too. This is not a new principle. It was the principle agreed to in not so important a case, but agreed to by the Board of Trade in a case that raised that same principle. And there is this difference, that in this case the exemption was of very long standing, some time in the seventeen hundreds that exemption was imposed. This is a toll which was fixed by Parliament as late as 1882; and I cannot think why if the traders are given a toll in 1882, that merely because maximum rates are to be fixed upon this canal the toll then given by Parliament is to be ripped up. It does not seem to me to be just, or at all a necessary corollary of the Inquiry now proceeding; therefore we ask the Committee to abandon what I might call the fetish of uniformity governing the Board of Trade (because the Board of Trade have never considered this question, except in the fettered way in which they must consider it), and give us the tolls which we at present enjoy, and give them us with the assent of every party who can be affected, the canal company over whose system the tolls are charged, and the traders who trade upon the canal. What I am asking for is to perpetuate the arrangement of 1882. I do not care which way your Grace takes it.

Mr. *Pope.*] You have an amendment in the alternative?

Mr. *Moon.*] Yes.

Mr. *Pope.*] I did not read your amendment as brought up to be an alternative. Even if I had not an amendment which proposed to continue the arrangement of 1882 as a whole, the Committee would have absolute power to do that of their own motion if they desired to do it and maintain the old system. It would not hurt my learned friend at all if my exemptions were preserved and the other ones omitted. If he is put in a better position by this Schedule as regards the other traffic affected, so much the

better for him, and he does not say that he is put in a worse position. All the difference would be that whereas under the Schedule as it stands he would not only be put in a better position as regards other traffic than that passing on to the Grand Junction Canal and the Grand Junction traffic too, but, if you accept the limited amendment, he would be in a better position as regards all other traffic, and if not in any better position, in as good a position in regard to the traffic of the Grand Junction Canal Company.

There is one other matter which I have not mentioned. Before the Schedule was proposed which is now before the Committee Mr. Pelham proposed a provisional Schedule. Of course, Mr. Pelham is in the position that he has not heard evidence, and has not held an inquiry upon this canal. Such inquiry as was held was held before Sir Courtenay Boyle and Lord Balfour of Burleigh, and no real inquiry was held because all parties came and said that they agreed. Therefore, no inquiry until now has been held upon this matter, but Mr. Pelham suggested provisionally a Schedule before the one now in the Bill, and in that Schedule he proposed that the same mileage toll should apply to every single article in the classification, so that the Board of Trade proposed at first that there should be one universal classification in which one toll should apply, not different tolls in each class in conformity with what has been done in the case of some other canals. The toll which Mr. Pelham proposed was a mileage toll of 1·50*d.* for a certain distance. The traders were very reasonable in this case; they said they thought that that toll would not be a fair one, that it was too low and not fair to the canal company; but they never expected when they said that, that the result would be as an alternative that the toll should be very much increased, or they would have pocketed their sense of injustice and remained perfectly quiet, and allowed the Regent's Canal Company to do what they could to raise the provisional tolls. But that is not simply this case. Here are persons to whom Parliament has granted rates, and they ask for a continuation of the rates, and nobody says that they ought not to have them, except the Board of Trade, who say they ought not to have them because the system of uniformity would be departed from.

Mr. *Erskine Pollock.*] I have an amendment which is covered by the amendment of the Grand Junction Canal, only I may not be said to be interested in it to the same extent as the Grand Junction Canal Company; because it would only be the portion of the traffic coming from the Regent's Canal on to the Grand Junction Canal that would come on through the Grand Junction Canal to my canal, the Warwick and Birmingham Canal; but to that extent I am interested in it, and your decision upon the amendment as moved by my learned friend, Mr. Moon, would govern my case, and whether you accept it or reject it, it would, in the first case, be unnecessary to move mine, and in the second case I should have no position to rely upon at all, therefore I fall or stand with the amendment of the Grand Junction Canal. I do not propose, after my learned friend Mr. Moon has dealt with the whole question, to say more than a few words. I emphasise throughout his argument. I wish particularly to emphasise to this Committee the nature of the arrangement arrived at in the year 1882. That was a very important Committee. There was a discussion upon the case before the Regent's Canal case came to the Committee; it was a hybrid Committee; the present Speaker of the House of Commons was one of the members serving upon it, and Sir Joseph Bailey was the chairman. The question was discussed at great length, and Mr. Pope, in opening the Bill for the Regent's Canal and Railway Company, said at once that he was prepared on behalf of the company, if the canals would purchase that canal, and it was allowed to be part of the term of the canal being made, that the railway portion of the undertaking should be purchased by the canal company. Therefore your Lordship sees the importance of keeping up the London Basin was discussed. The Regent's Canal Road and Dock was called the grand terminus for all these canals and the traffic. And the Committee, on arriving at their decision in the First House, the House of Commons, made it one of the conditions of passing the Bill that this Clause should be put into the Bill. Sir Joseph Bailey's words were, in giving the decision on page 108: "The Committee expect a clause to be inserted providing for through rates on the Regent's Canal system of inland canals and giving a power of appeal from time to time to the Board of Trade and the Railway Commissioners for a modication of these rates." At an early stage my learned friend Mr. Pope said he would be prepared to continue the existing tolls and put them into the Schedule. That was done, therefore Schedule 13 was one of the conditions upon which the House of Commons allowed the Bill to proceed. Therefore I do not think any words of mine can emphasise more highly the nature of Schedule 13 than the fact that it was an obligation put upon the canal company at the time the Bill was allowed to proceed. That being so it was thought a matter of great importance then, and it is no doubt a matter of great importance. There has been no change in the circumstances. It was an arrangement arrived at so recently as the year 1882; it was a special arrangement made at the time with a particular class of traders and for a particular portion of the traffic dealt with on that canal; and it is not in any sense a through toll because it is not a question of a through toll made up of a number of charges upon a number of canals, but a particular toll to be charged on one canal whenever there is through traffic, that is the nature of the thing. It was emphasised by the canal companies that the nature of the railway then proposed to be made alongside the Regent's Canal was that it formed junctions with all the great London companies, beginning with the Great Western on the one hand and terminating with the Great Eastern upon the other hand. It was pointed out that there would be very great danger in this way in respect of the through traffic.

Mr. *Pope.*] Not the railway company in competition with the Grand Junction Canal Company; the London and North Western Company was not coupled up with it.

Mr

Mr. *Erskine Pollock.*] Your recollection is more accurate than mine. I am wrong to that extent, but your Grace knows that the Great Western Company have a route from Birmingham to London nearly as direct as that of the London and North Western. The same point was made of coupling up the Great Western Railway where the railway would take the traffic right on to the docks. There was great peril to the traffic carried on the canal from Birmingham to London, and it was the interest of the canals to get this clause put in. When the Board of Trade came to consider all the circumstances of 1882, I believe I am right in saying upon the point (but I am subject to correction, because I have not been able to see a copy of the Board of Trade Report made to this Committee in 1882; but I dare say the Board of Trade have access to it now) that the recommendation arrived at by that Committee as to the particular toll with regard to the Grand Junction Canal and the Birmingham Canal traffic was the result of the Report made by the Board of Trade, in which this very matter was called to the attention of the Committee. I believe I am accurate in saying that from the decision of the Chairman. If that is so it strengthens the position very much. But whether it is so or not, the position seems to me an exceedingly strong one. It was a form arrived at as recently as 1882. All the traders wish it now; the Regent's Canal do not oppose it; and there is no reason why it should not be put upon this Schedule in the form of the amendment, or why the whole Schedule should not take the form of Schedule 13.

Sir *William Houldsworth.*] You gave the figure of the tonnage passing on to the Grand Junction Canal of 183,000 tons: can you say what proportion that is of the whole traffic?

Mr. *Moon.*] I am afraid I cannot.

Chairman (to Mr. *Pelham*).] You heard what Mr. Moon stated, that there are cases which are different from the provisions in various Provisional Orders which have been sanctioned by this Committee and other committees. Mr. Moon stated that there were cases differing from these, and he mentioned what they were; do you agree with what he stated?

Mr. *Pelham.*] I think the classification applies everywhere. Now and then one or two little things are taken out of the special arrangement which are made with regard to that. There is no doubt of the fact that very often all the classes are bracketed together for the purposes of the toll. In the case of the Thames it is a very low toll, a farthing a mile, and so low that they are all bracketed together. I should only say, as regards the traffic coming off the Grand Junction Canal, that the Board of Trade did not feel at liberty to put a lower toll upon that. They thought that it would be preference for particular traffic. It was part of a through toll; and if it was not a through toll it was a preference for particular traffic according to its destination. I do not suggest that the Committee have not power to deal with it. The Committee have already sanctioned such an exemption in the case of traffic going over the Lower Medway which comes from or is going to the Upper Medway. It was a matter of agreement. I do not suggest that the Committee have not power to deal with it, but I say that it was not a proper thing for the Board of Trade to do. The Board of Trade attempted to translate the existing powers into the language of the new Schedule. I believe they have done it as regards local traffic; but as regards traffic going to or coming from the Grand Junction Canal there is no doubt the toll is too high. I do not suggest that the Committee have not the power to save the Act of 1892 as regards that traffic.

Sir *William Houldsworth.*] As you have translated as nearly as you could the tolls, except for what comes off the Grand Junction Canal into your figures here, we may take it that no injury would be done to the traffic other than that coming off the Grand Junction Canal if they adopt the 1882 arrangement. What I understood you to say was that you translated as nearly as you could what would affect the other traffic, and therefore it would not matter much whether the 1882 arrangement for other traffic or your Schedule was adopted.

Mr. *Pelham.*] As regards the Grand Junction traffic?

Sir *William Houldsworth.*] As regards the other traffic?

Mr. *Pelham.*] We could not adopt the Table out of the Act of 1882 as regards all the local traffic without upsetting all the general regulations of the Schedule. I do not wish to express an opinion in favour of the Grand Junction Canal. I do not know whether the parties would accept this, but I propose, "Nothing in this Schedule shall authorise the company to charge any higher toll on merchandise conveyed to or from the canal from or to the Grand Junction Canal than the tolls authorised by the Act of 1882." Does that meet your point of view, Mr. Moon?

Mr. *Moon.*] It must meet my view.

Mr. *Pope.*] I do not think my learned friend or the Committee quite apprehend what the difficulty is in which I feel myself, and in which, to a certain extent, the Board of Trade also is placed. Of course, if the maximum rates in the Schedule are to be held applicable to through rates it is manifest that the increase of those through rates would be out of all proportion, and that it would be a manifest prohibition of traffic which has hitherto been carried at the rates agreed in 1882. But what I understand the Board of Trade felt was this, that it was no part of their duty in the Schedule to deal with the question of through rates at all. I quite agree with my learned friend Mr. Erskine Pollock, that in 1882 the Chairman did say that there must be included in the Schedule a scale of through rates. In the Board of Trade Schedule there is nothing done with through rates, because the Board of Trade have relied upon the tribunal, the Railway Commission, which is established expressly for the purpose of stating whether the through rate asked for is reasonable or otherwise.

Sir *Richard Paget.*] It is suggested that the Schedule of 1882 should stand good now.

Mr. *Pope.*] Yes. And so far as that is concerned, of course, I, acting for the company, can-

not go behind what I said was sufficient in 1882. But what I do say is this: that what was agreed to in 1882 was the total Schedule, including local as well as through rates, and including the rates chargeable upon other traffic besides the traffic of the Grand Junction Canal Company. I have just ascertained that the total traffic of the Regent's Canal amounts to 1,000,000 tons a year. If you deduct, therefore, from that million tons a year 196,000 tons exchanged both ways from and to the Grand Junction Canal, then the other traffic, as the honourable Member suggested, which might be (I declare I cannot say "would," because I cannot ascertain what the fact is) affected if they adopted the through rate upon the back of the Schedule, may amount to 810,000 tons, which would be the difference between the figures. Therefore my difficulty is this: The arrangement of 1882 embodied in that Schedule was an entire arrangement affecting the 180,000 tons of the Grand Junction Canal and the rest of the traffic, be it 700,000 or 800,000 tons more. To that extent I must get the manager of the company to tell your Lordships, if it turns out to be important. Of course I do not object to adopting the same through rate so far as the Grand Junction is concerned, which was agreed to in 1882, but if I do I ought to be entitled also to get the compensating advantages of 1882, which I give away with regard to the through rates. I, equally with my learned friend, Mr. Erskine Pollock, claim that is an entire arrangement. I have bought and paid for this canal 1,500,000*l.* upon the basis of the Schedule of of 1882, and if that Schedule is maintained I am perfectly content. It was a give-and-take Schedule; if you take only the part of the Schedule which is the take, and do not let me retain that which was the give, it is an unequal bargain so far as I am concerned. That is my objection. If we can have the entire Schedule with all its incidents of 1882 I am content to accept the through rate as agreed with the Grand Junction Company in 1882; but if it is to make a difference, and I understood Mr. Pelham to say that in some respects the translation would translate the local rate unfavourably to the canal company, that is that we should be only able to charge 6*d.*, where the agreement of 1882 enables us to charge 7*d.*, I must object; I think the whole question really turns upon what the pecuniary difference is. I have a great dislike to be fighting for what turns out to be of no value to the company that I represent. I should like to put Mr. Thomas, the manager of the Regent's Canal, into the box, and let us ascertain, as a matter of money, what would be the difference in adopting the through rates upon the back of the Schedule as presented, compared with adopting them with the whole of the Schedule of 1882.

Mr. *Moon.*] I shall have witnesses to call. I do not object to my learned friend calling his witnesses, but I think I can persuade my learned friend's clients, if they will only listen, that if he accepts the amendment proposed to exempt the Grand Junction Canal from the Schedule, he will be in a much better position than if the Schedule of 1882 is maintained intact, because if he looks at the second set of columns he will find that that relates to local traffic, and that, for instance, from a part of the Thames to the St. Pancras Lock he can only charge 10*d.* a lock, whereas for that 8½ miles, under the Board of Trade Schedule, you can charge 4*d.* for the first three miles, which is a shilling (that is in the classes), and 0·60*d.* for the remainder of the distance, which is four miles, that is 1*s.* 2½*d.*

Mr. *Pope.*] It depends upon the volume of traffic. You may give me high rates upon half-a-dozen tons in the course of the year, and take a small sum from a large number of tons. I cannot tell what the pecuniary result is.

Chairman.] You heard what Mr. Moon stated, that if the scale of 1882 was adopted it would not be a complete departure from anything that had been done by Committees. Do you contend that if the agreement of 1882 was adopted it would be a departure from anything that has been done before, Mr. Pelham?

Mr. *Pelham.*] Yes, it would upset all the general conditions; I think it is an entire departure. I do not know if your Grace would let me depart for a moment from your question. I propose to the canal company as to the minimum toll of 6*d.* which we have given them, which gives them a loss, that if that was increased to 7*d.*, and then the Grand Junction Canal traffic was saved, that really would meet their objection. Their principal loss on the local traffic is this, that we only allow 6*d.*, whereas at the present moment they get 7*d.* for short distances for A. and B.

Sir *William Houldsworth.*] With regard to the question put by the Chairman, I understand, so far as classification is concerned, and as regards one toll for the whole of the classes, that is not a departure at all from what has been done before; that is to say, there have been instances before in which there has been one toll for the whole.

Mr. *Pelham.*] Yes.

Sir *William Houldsworth.*] So far as that is concerned, it would be no departure.

Mr. *Pelham.*] Except that the Schedule to the Act of 1882 does not put it all together; it splits it up in many different ways. My sole objection to it is this, that it ought to be uniform, and it ought to be for the protection of the trader, who may, perhaps, not yet have come upon the canal, a trader who may yet be unborn.

Chairman.] That is going a long way ahead.

Mr. *Pope.*] The Board of Trade are willing to raise the Schedule to the extent of enabling us to charge 7*d.*, whereas 6*d.* was hitherto chargeable as a minimum charge. I have been showing the Schedule to the manager of the Grand Junction Canal Company, and I think it would save us so far from any loss in respect to other articles, and that the translation may be regarded as practically a fair one. I cannot bring myself to fight for a small matter in a question where the public interest is so largely involved, I do not think that we should lose anything that I ought to bring before the Committee if that suggestion of the Board of Trade is accepted. Then I, on my part, will accept the statutory through rate which was agreed to in 1882. Then the amend-

ments

ments that I ask for are these, that we shall have the rate on articles loaded or unloaded in the waterway, that is where parties do not provide themselves with a lay-by for unloading their cargoes, but occupy the running line of the canal, then they must pay 3*d.* a ton for this accommodation. My learned friend thinks it fair, and with these two amendments we can agree with the Board of Trade Schedule.

Mr. *Moon.*] I will agree to what my learned friend Mr. Pope has proposed. That is all I need say if the Committee will accept it.

Mr. *Erskine Pollock.*] The Warwick and Birmingham Canal Compahy will also agree.

Mr. *Pelham.*] It will be left to the Board of Trade to settle with the parties the exact form that it will take. It is rather difficult to say at once.

Chairman.] If both parties are agreed we are not dogged enough to say that they shall not agree.

Mr. *Pope.*] The Board of Trade will settle the form, and the result will be that the Schedule will be so raised as to make our minimum charge 7*d.*; we are to have 3*d.* extra for unloading in the waterway, and then we ask *simpliciter* for the through rates and charges agreed to in 1882.

Chairman.] It will be brought up for our confirmation.

Mr. *Pope.*] It will be brought up for your confirmation very soon, because I do not anticipate that the Committee will be very long upon their labours now.

[Adjourned.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 6) BILL.

(River Lea, &c.)

The following Petitions against the Bill were read on Wednesday, 4th July :—

The Petition of the Lea Conservancy Board :

Mr. *Littler,* Q.C., and Mr. *Claude Baggallay* appear as Counsel in support of the Petition.

Messrs. *Rees and Frere* appear as Agents.

The Petition of the North Metropolitan Railway and Canal Company :

Mr. *Pope,* Q.C., and Mr. *Cripps,* Q.C., appear as Counsel in support of the Petition.

Messrs. *Hollams and Company* appear as Agents.

Mr. *Littler.*] I have only just a few words to say on behalf of the Lea Conservancy, so that you may follow the position. I do not propose to make any formal opening, and I do not propose to do what is set out in a certain portion of my brief, in which the history of the company is given from the time of King Alfred, when the Danes got up as far as Hertford, and having been seduced to go so far, by some ingenuity, I do not know how, the water was run off the river, the ships were left high and dry, and the invaders were slaughtered. That is the earliest instance of a bar toll, as Mr. Pelham suggests. I will deal with the River Lea as it at present exists. That map with which the Committee have been furnished shows what the Lea Navigation is. It starts at the town of Hertford, and the river is navigable from Hertford and passes thence down to the River Thames ; it joins on to the River Thames by two different modes of access. Your Grace will see beyond Bow River, Limehouse Cut, and Bow Creek ; Bow Creek was the original mode of access, or part of the natural River Lea ; and the Limehouse Cut was artificially made under the powers of an Act passed many years ago. I will not trouble your Grace with any of that detail, but the present position of things is that the River Lea is, and always has been, a river under the control of the public authorities. For a long time it was under the control of the Corporation of London, but now it is controlled by the Lea Conservancy Board, who are the creatures of a Statute of 1868, and, of course, the power of charging tolls there applied to this river. The river is not one which has any very large income, and for the very natural reason that it has running parallel to it throughout almost the whole of its length the line of the Great Eastern Railway Company. The Great Eastern Railway Company charge exceedingly reasonable rates upon their railway, and the consequence is that from end to end the river is subject to a very active railway competition. The whole of the tolls of the navigation, which is about 24 miles in length, are only 14,000*l.* We have another valuable source of income, namely, from the water companies, the New River Company and the East London Company, both of them draw a large portion of their supply from the River Lea ; but the powers for that supply are in such words that it is impossible for us to get any increase of income. By an Act of this year a large increase has been derived by the Thames Conservancy towards their funds from the fact that the water companies draw some of their supply from the Thames.

But the present powers of the water companies are these, that they are entitled to draw off for the purposes of their works all the water which is not required for the navigation. The consequence is, that however willing we might be to extract more money from the water companies, we cannot do it. We get from them 3,769*l.* Then we have other property, the receipts from which amount to 1,580*l.*, and we have sundries which bring in some small sum; roughly speaking, our whole income is 19,800*l.* We have a very considerable debt which has been incurred in the improvement of the river, and at the present time the interest on the debt annually is 7,762*l.* We are under obligation under our Act, if we do so, to set aside a sinking fund of 1,500*l.* a year, but we have not got it, we have not had it for three or four years. Up to the present time this year it seems possible we may have something towards it, we cannot tell till the end of the year how that may be. The consequence, therefore, of that is, that any sort of reduction of our income would be of most serious importance to us. I may mention one other thing before we go to the exact figures. There is, on our system, a very extensive exemption from toll in respect of manure. In old days that was all well enough, because the manures brought backwards and forwards were the ordinary manures which were so understood in the days when the original Act was passed, but the present condition of things is this: I dare say, your Grace, from your knowledge of the district, may remember that on the Great North of Scotland system many years ago there was a question whether artificial manures might be carried as ordinary manure. Still, no doubt upon the Lea every sort of manure, artificial and everything else, may be carried toll free; in addition to that, what they now call manure consists to a very large extent of ashes and other filth from London, carried down the Lea to various places, very often for the purpose of making up low-lying land. All that is carried toll-free at this moment. Under the order of the Board of Trade we have undoubtedly a certain amount of advantage given to us——

Chairman.] What page are you referring to?

Mr. *Littler.*] I am referring to the Tables we have handed in, headed Lea Conservancy. If you look at those Tables you will follow what I am going to draw your attention to. I will ask you to refer first to Table 1, and to look at the totals at the bottom, which will show that the matter is one of the greatest importance to the Conservators. You will see in the first column the actual cash received for the year ending 31st March, 1893. We show the amounts received at the various mileage distances, and the result is that last year we received 13,860*l.* With the maximum toll receivable under the Board of Trade order, that is to say, if it were capable of being put in force, we should be a little better off, 165*l.* better; we should receive 14,025*l.*, but the fact is that in no case that we know of should we be able to avail ourselves of any increase of our rates because we are subject to very active competition with the Great Eastern Railway, and it is hopeless to attempt to make any increase in our rates. Consequently we should have to put in force all the decreases and we should get none of the increases, and the result would be that we should get 13,142*l.*, instead of 13,860*l.* At present we are at the very edge of receipts balancing expenditure. That is a very serious matter for us, and one which we regard with considerable anxiety. If you look at the next Table, Table No. 2, you will see a general comparison of actual tolls for the year ending 31st March 1893, with the tolls proposed under the Provisional Order. The stages in the navigation are not given, but the various classes of traffic are given, and you see the classes of traffic that we have. In point of fact, with the sole exception of barley, wheat, flour, seeds, and malt, we have no traffic which can be called in any way traffic in the superior classes. You see we have one item of malt on which we receive 1,685*l.* That item, which is a very large proportion of our receipts, depends almost entirely on one town, namely, Ware; and if, for any reason, the malt trade were to desert Ware, or if maltsters were to determine not to bring them malt by river but by railway, that would in itself create a very great deficiency in our receipts. The next Table is one which shows the up trade divided into distances and the down trade divided into distances, and that Table will enable you to follow very easily any observation that may be made hereafter. I do not think I shall usefully take up any more of your time at this moment, but I will only say that what we propose is this: we ask that we should be left very much as we are, and further that we should have the exemption as to manures abolished, having regard to the change which has taken place in the circumstances and to the fact that it is not any great advantage to the farmers that it should be contained; so that we should have an opportunity of trying to pay our way, and of performing the duties cast upon us and trying to do something towards reducing the debt on the navigation. There is one other matter which I may refer to. We desire to do something with regard to two classes of vessels now on the river, electric launches and steam launches. At present the steam launches are a very great inconvenience to the navigation; they are constantly running at a higher rate of speed than they ought and injuring the banks; and when we proceed to deal with them as pleasure boats they say they are not pleasure boats because they carry a ton or a couple of tons of cargo, and consequently they claim that they may run from the Thames right up to Hertford, paying only the minimum charge on a cargo boat. I think you have got all the case before you.

Chairman.] Could not you go to law and compel those steam-launches that only carry a very small amount of cargo to pay the proper sum?

Mr. *Littler.*] What we propose to do is either to put them in the condition of being really cargo boats or to make them pay a proper rate of charge; and not to let them come under the evasion of being cargo boats carrying the minimum cargo. I think now the Committee are in a position to deal with the amendments. I would ask the Committee to let the first three amendments stand over, because they are consequential,

tial, and I would ask them to take the fourth: "Page 7, line 12. Omit 'or a boat laden only with manure exempt from toll.'" That raises the question of the exemption of manure.

Chairman.] Which of these amendments are going to be proceeded with?

Mr. *Littler.*] Does anyone object to the first substantial one: "Page 7, line 12. Omit 'or a boat laden only with manure exempt from toll,'" and the next one: "Page 7, line 19, &c. Omit Section (iii.)"? That follows on the preceding amendment.

Chairman.] What I wanted to know was whether the first three amendments are to be proceeded with?

Mr. *Littler.*] Yes, but they are small amendments, and I ask you to let them stand over for the moment, and take up "Page 7, line 12. Omit 'or a boat laden only with manure exempt from toll,'" and page 7, line 19, &c., "Omit Section (iii)."

Mr. *Pope.*] And then the following amendment proposed by the North Metropolitan Railway and Canal Company could be taken together with those two amendments proposed by the Lea Conservancy.

Mr. *Littler.*] Yes; we might take Mr. Pope's amendment: "Page 7, line 22, After ('Navigation') insert '(or shall be made liable to the payment of tolls or any other articles, materials, or things conveyed on the River Lea Navigation which are not now liable to the payment of tolls'), and leave out ('for the purpose of being used for the manuring of any land in any parish adjoining the said navigation')."

MR. GEORGE CORBLE, is called in; and, having been sworn, is Examined, as follows:

Mr. *Littler.*

5670. You are secretary to the Lea Conservancy?—I am.

5671. And have been so for a good many years?—Yes.

5672. Taking the years from 1889 to 1893, was the average quantity of manure carried 30,221 tons?—Yes.

5673. On the Lea manure is to go free under the Acts of 7 Geo. III. c. 51, and 19 Geo. III. c. 58?—Yes.

5674. The only navigation which is in connection with you is the River Stort?—The River Stort and the Regent's Canal join us.

5675. The Stort Act allows manure to go free as back carriage?—Yes.

5676. Is it the fact that on nearly all other canals there is no exemption in the case of manure?—That is so. Our friends, the Regent's Canal, levy a toll of 6*d.* or 7*d.* on manure.

5677. In old days, as far as you can gather, it was a concession made to landowners to induce them to take manure from London so as to clear London of the manure?—I believe it was so.

5678. Under the head of manure is it the fact that your gas-lime is carried free over the navigation?—Yes.

5679. Gas liquor?—Yes.

5680. Gas refuse?—Yes.

5681. Hard core?—Yes.

5682. Soft core?—Yes.

5683. Mud from the river dredgings?—Yes.

5684. Manufactured manures?—Yes; valuable manure worth 12*l.* a ton, which was not known a hundred years ago, goes toll free.

5685. In addition to that, you get all sorts of filth and refuse?—All the garbage from London, or a good part of it, comes along the Lea.

5686. Are there regular traders in manure who are a great nuisance on the river?—Yes; they use old and leaky barges, and these sometimes sink, and they do as much wear and tear as a barge paying 2*l.* or 3*l.* in toll; they are a great trouble to us.

5687. One of these barges carrying manure

Mr. *Littler*—continued

takes as much of the lock-keeper's time to allow it to pass through the lock as a toll-paying barge?—Quite so.

5688. A manure barge passing from London to Hertford pays 3*s.* nearly for lockage, while a malt barge from London to Hertford would pay 3*l.*?—Yes.

5689. In addition to that, is a very large proportion of the stuff which is brought along the navigation under the name of manure really used for making up and raising low-lying land?—Yes; some of the land is raised 5 or 6 ft. by having this refuse put on it. We contend that is not a proper use of the exemption.

5690. Do you see any reason, looking to the existing condition of the navigation and to the existing state of business, for the continuance of that exemption?—Certainly not. I think, in fact, there are no traders objecting excepting the Regent's Canal, and they do not carry manure upon our navigation; they carry the river dredgings which they dredge out of their canal along our navigation, because they say they can carry it free as manure, and they fill up land alongside our navigation with their muck.

5691. Those river dredgings, are not properly speaking, manure, but they claim to carry them as manure under the old Acts?—Yes.

5692. In no sense is the dredging manure, except that it can be used for spreading on land?—That is so.

5693. And, as a matter of fact, it is not used usually for fertilising land, but for filling up low-lying ground?—I have not seen it scattered over the land with a view of fertilising it.

5694. If that exemption were abolished it would assist you to the extent of 268*l.*?—Yes.

5695. On the tonnage you have mentioned to the Committee?—Yes.

Mr. *Pope.*

5696. Including all classes of manure, the dredgings and everything?—Yes.

 5697. Have

Mr. *Littler.*

5697. Have the Lea Conservancy Board the greatest possible difficulty in holding their own against thetcompetition of the Great Eastern?—Yes. The Great Eastern runs parallel with the Lea for nearly the whole extent of its course, and we have had a great difficulty in contending with their rates.

5698. You are under obligation to set aside 1,500*l.* a year by way of sinking fund to pay off your debts?—That is so.

5699. Have you been able to do that the last year or two?—We have not been able to do it the last four or five years.

5700. I think you have been governed by Acts of Parliament which go back as far as the reign of Edward I.?—Yes.

5701. I do not go into any of those, but the river has always been recognised, has it not (to use the words of one of the old Statutes), as being one of the great rivers of England, and of importance for the purpose of securing access to the counties of Hertford and Essex by water?—Yes.

5702. And the present conservancy represents all classes of persons interested in the river?—Yes. The traders have one representative; the landowners have five; that makes six out of the 13 members of the conservancy.

5703. Up to the present day have you had any objection to the proposal now before the Committee except from the Regent's Canal?—None whatever; we have had no complaints that our tolls are excessive, or that they press upon the trade.

5704. Do you believe that the proposed alteration in this manure clause would in any way press upon the traders on the navigation?—Not at all; the trade would be quite willing, I am sure, to pay 3*d.* a ton.

5705. As far as you know, has any one who actually trades upon the navigation complained of your proposed alterations throughout?—Not at all.

Cross-examined by Mr. *Pope.*

5706. I think there must be some mistak[e] about your figures. What tonnage do you say now passes toll free which would become tollable under your proposal to destroy the manure exemption?—About 30,000 tons.

5707. I am told that there is actually interchanged between the two companies 45,000 tons of articles that are exempt, that is to say, manures?—Those figures came out before Mr. Pelham at the time of the Inquiry, and we could not agree; we did not understand how those figures were arrived at. My own solution of it was this, that hard core was carried as manure, which we took under the head of "sundries" in our list.

5708. I am told that, irrespective of dredgings, 45,000 tons have passed free, exchanged from the Regent's Canal, which would become tollable if your amendment were adopted?—I do not see how you could get at those figures. A great quantity of it has probably been treated as manure, which we should not consider to be manure, hard core, for instance.

5709. I do not understand how the discrepancy can arise; I am told that at least 45,000 tons is exchanged between the Regent's Canal and the Lea Conservancy, which at present passes toll-free, and which would become tollable under your proposed amendment; is that the fact?—All I can say is, our returns received from our collectors, show a total of something over 30,000 tons.

Mr. *Pope*—continued.

5710. How would your toll collector give you any return of tonnage that he did not collect on?—He would have a column in his statement in which he would enter the tonnage of the manure barges.

5711. You support your amendment upon the supposition that it would only affect 30,000 tons?—About 30,000 tons.

5712. According to us it would affect 60,000 tons?—Our returns do not show that.

5713. The manure stands in this way: the 81st section of the Act of 7 Geo. III. contains this exemption, "No tonnage rates or dues shall be due, paid, or demanded for any boat, barge, lighter, or other vessel carrying only manure of any kind whatsoever on the River Lea"?—Yes.

5714. So that for some time at the commencement of your undertaking all manure, without specifying its destination or its character, passed toll free?—Yes.

5715. Then that was found to be burdensome, I dare say, and the 19 Geo. 3, c. 58, sec. 4, gives the reason why an amendment was necessary. That says that "ashes, breeze, and other materials used in making bricks, are frequently conveyed upon the River Lea under the pretence of being for the manure of land, whereby payment of rates and dues is evaded;" and it is enacted that all such materials and things which shall not be used for the manuring of land shall be liable to be rated?—Yes.

5716. So this grievance about the conveyance of ashes or other refuse for the purpose of filling up lands or doing anything but manuring of and so was rectified as long ago as the 19th of Geo. 3.?—It only showed that at that time they were bringing up stuff under false pretences the same as they are doing now.

5717. My learned friend Mr. Littler based this application for the amendment to destroy this exemption upon the circumstance that people brought ashes and other refuse from London toll-free for other purposes than that of manuring land, that is to say, for filling up land. Whatever the mischief was, it was cured in 1779, when that Act of the 19th of George III. was passed; it was cured as long ago as that?—It is still an open question as to what is manure.

5718. No; all these substances which you say are not used for manuring land were made tollable as long ago as 1779?—Yes.

5719. That is cured?—We do not consider it so; we have questions cropping up every day. A man buys a piece of land and excavates a lot of earth out of it, which he sells, and then he fills up the hole with this garbage, and he calls that manure.

5720. He cannot call that manure. You have had 115 years in which you could have gone to the courts of law to decide for you whether this

was

Mr. *Pope*—continued.

was manure or not. You could have made these people pay toll; but it seems you have never, in the 115 years, tried that question, because it is too plain to be tried?—We have not thought it is. We think there are very grave doubts on that, it is a very difficult point.

5721. Whether filling up a hole in land with this sort of filth is manuring land?—The Regent's Canal themselves——

5722. Never mind the Regent's Canal at present. I want to look at your power to take any toll at all. That is decided, I suppose, by your Act of 37 and 38 Victoria?—Just so.

5723. That defines your right to take tolls on goods, wares, merchandise, and commodities?—Yes.

5724. What would you define commodities to mean?—We take it that that word includes every kind of goods other than wares and merchandise.

5725. Every commodity *ejusdem generis* with goods, wares, and merchandise; is filth a commodity?—It has been argued that it is.

5726. Who by?—By the Regent's Canal themselves, they have argued that their dredging was not a commodity, and therefore ought to go as manure.

5727. No. All we say is we do not care whether it is manure or not, it is not a commodity, and therefore you have not power to charge it?—We have no classification such as is proposed now; I should read the remainder on all goods, wares, merchandises, and commodities whatsoever "except gunpowder and other substances as under-mentioned and manure or other substances exempt from toll under the Lea Acts," carried or conveyed upon or through any lock, and so on, on the navigation, and then the tonnage for the different distances is given.

5728. If it is manure it has hitherto been exempt under the Lea Acts?—If it is manure.

5729. If it is not manure then your power to charge upon it depends on whether it is a commodity?—We should say that it is a commodity.

5730. It depends on that. You propose, then, to settle that point of law, if it is a point of law, by enacting that in future you shall be entitled to charge *nominatim* whether it is manure or not?—We think we ought to follow the classification which puts manure in the low class, and we do not see why there should be that exemption.

5731. Beyond that until now these dredgings, which I quite admit are sent by the Regent's Canal Company on the canal, are spread and put upon land on the banks of the canal?—Not spread upon the land; it has all been deposited five or six feet deep.

5732. There it is, at all events?—Yes.

5733. It has existed until recently. Recently there has been a correspondence in which you claimed to charge a toll?—We did.

5734. You were asked to say by what right you charged the toll, and you referred the Regent's Canal Company to your Schedule?—To the Act of Parliament.

5735. If that does not give you a toll you have not got it, but you were of opinion that it did, because you referred the Regent's Canal Company to your existing Acts as entitling you to charge?—Yes.

Mr. *Pope*—continued.

5736. If you were right in saying that the Act of Parliament does entitle you to charge, you do not want this exemption?—It affects other commodities besides river dredging. These other materials, stuff and rubbish which they bring up, are not *bonâ fide* used within the meaning of the Act.

5737. Not *bonâ fide* used; with regard to ashes and other things it was settled as long ago as 1790. You need not trouble yourself about that?—It did not settled the question conclusively. The question crops up every day, What is manure within the meaning of the Act of Parliament.

5738. After the settlement of that matter in 1790 until the 22nd March 1894 all these articles, river dredgings amongst the rest, passed toll free?—They did. We have been always of opinion that river dredgings should not have been passed up. We found they had not been used properly as manure.

5739. It was not the river dredgings that roused your ire. The notice was that you would demand and take a toll of 3*d.* a ton for every ton of hard core, soft core, river dredgings, lime, and all other refuse carried or conveyed, and so on?—Yes, and I say that we have already got a notice of action where we charge for stuff that we consider is not manure.

5740. Therefore, you settle the action by going for an Act of Parliament which would exempt you?—It has given rise to great difficulty and trouble.

5741. If you can get Parliament to give the exemption, it will settle this action?—Yes.

Re-examined by Mr. *Littler.*

5742. Is there any possible reason why such things as are described should be exempt?—We think not.

5743. Is there any single person, either landowner, trader, or anyone else having anything to do with the River Lea, except the Regent's Canal Company, who makes the slightest objection to the abolition of these exemptions?—Nobody at all.

5744. You have made public in every direction what you were doing?—Yes.

5745. And you have one of the traders himself a member of your Conservancy Board?—Yes.

5746. Has he taken an active part in considering what would be a fair Schedule?—Yes, and he has been in communication with the traders for the last two years, during which time the question has been before us.

5747. He is not here to-day, is he?—His representative is here.

5748. Is there any exemption with regard to manure on the Regent's Canal?—Not that I am aware of.

5749. Though they are so indignant about losing the exemption over your canal, there is none on theirs?—No.

5750. Is there any reason to suppose that the refuse except from London will cease to come to the river so long as it is the

Mr. *Littler*—continued.

most convenient place to get rid of it even if this toll is imposed?—It must come. London must be cleared of its rubbish, and we do not see why we should be made the depository of half the refuse of London, and the stuff come toll-free.

5751. You do not want to induce them to bring it down?—We should rather be without it.

Mr. *Littler*—continued.

5752. Living on the Lea, I sympathise with you?——

Mr. *Spicer.*

5753. Have you ever contested a case as to the question of manure which you say is not *bond fide* manure?—We are contesting one now; it is only in the early stages; whether it will proceed further I cannot say.

The Witness is directed to withdraw.

[*The following Tables were delivered in* :—]

No. 1.

LEA CONSERVANCY.

COMPARISON of Actual Tolls for Year ended 31st March 1893, with Tolls Proposed by Provisional Order.

	Actual Cash Received, Year ending 31 March 1893.	Maximum Toll Receivable under Provisional Order, if put in force throughout.	Toll Receivable under Provisional Order, if put in force only where it reduces present Toll.
	£. s. d.	£. s. d.	£. s. d.
Limehouse—*Viâ* Limehouse Lock -	2,887 18 5	2,835 10 11½	2,835 8 10
„ Bromley Lock - -	998 10 2½	972 9 11	972 9 11
First 4 Miles - - - - - - To ¼ Mile below Tottenham	1,566 11 5	1,423 10 5¼	1,423 10 5¼
½ Mile - - - - - - - Head of Tottenham Lock	429 5 8	329 18 6½	329 16 11
2 Miles - - - - - - - Edmonton.	484 14 7	473 4 3½	467 5 3½
6 Miles - - - - - - - Tail of Enfield Lock.	265 6 2	261 13 2½	241 2 2
7½ Miles - - - - - - Waltham.	2,336 4 11½	2,059 11 9½	2,029 3 6¾
8½ Miles - - - - - - Cheshunt.	120 17 8½	97 3 7½	95 16 11
13¾ Miles - - - - - - River Stort.	860 7 1	929 1 3	855 3 5½
15¾ Miles - - - - - - Stanstead.	344 – 7	412 – 2¼	333 13 1½
18 Miles - - - - - - Ware.	2,937 10 5½	3,474 – 5¼	2,932 – -½
20¾ Miles - - - - - - Hertford.	629 7 9	757 14 7	626 19 11¾
	13,860 15 –	14,025 19 2¾	13,142 10 7¾

22nd June 1894.

Geo. Corble, Clerk.

12 *July* 1894.

No. 2.

LEA CONSERVANCY.

COMPARISON of Actual Tolls for Year ended 31st March 1893, with Tolls Proposed by Provisional Order.

	Tons Carried in Year ending 31 March 1893.	Actual Cash Received, Year ending 31 March 1893.	Maximum Toll Receivable under Provisional Order, if put in force throughout.	Toll Receivable under Provisional Order, if put in force only where it reduces present Toll.
	Tons.	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
Class A. Ashes and Breeze -	16,523	304 8 6	320 2 11	284 18 7
„ A. Coals and Coke -	77,631	1,597 9 3	1,431 11 5¼	1,401 8 10¾
„ B. Bricks and Tiles -	41,550½	859 7 6	899 18 8¼	809 15 11
„ A. Spoil - - -	18,281	225 13 8	225 15 8	225 12 8
„ C. Cement and Lime -	12,154	205 7 8	184 6 6	182 6 1
„ B. Stone - - -	13,913½	311 11 8	271 1 9½	261 19 10½
„ C. Timber - - -	24,696	355 14 –	421 2 –½	344 16 3½
„ B. Iron - - -	2,460¼	70 – 8½	60 – 2¾	60 – 2¾
„ A. Chalk, Sand, Flints, Gravel and Road Materials - -	55,623½	1,083 15 5½	1,317 1 5¾	1,005 12 3
„ C. Linseed Cake -	3,317½	82 19 6	86 18 10½	82 19 6
„ 1. Oil - - -	33,783½	481 18 7½	485 1 9	476 6 7¾
„ C. Barley and Oats -	9,825¼	466 17 10½	508 10 1¼	465 17 1
„ C. Wheat - - -	12,433	453 19 11	468 18 11¾	432 19 2½
„ C. Flour and Meal -	6,492¾	130 14 3	207 15 1¼	130 14 3
„ C. Seeds, Beans, Peas, Tares, and Rye -	43,876½	731 1 3½	749 17 11½	730 18 –¾
„ C. Malt - - -	34,683	1,685 15 11	1,814 11 2¾	1,685 15 11
Boats - - -	—	293 1 6	293 1 6	293 1 6
Empty Barges -	—	2,570 4 –	2,570 4 –	2,570 4 –
„ 1. Sundries - -	88,305¼	1,282 1 11½	1,181 11 3½	1,175 9 6½
„ 1. Shop Goods - -	503¾	18 19 2½	25 12 9	18 19 2½
„ 1. *Special* — Saltpetre and Gunpowder -	5,669½	388 10 4½	347 14 2¼	347 14 2¼
Wharfage - -	—	261 2 2	155 – 9	155 – 9
	501,722¾	13,860 15 –	14,025 19 2¾	13,142 10 7¾

22nd June 1894.

Geo. Corble, Clerk.

No. 3.

LEA CONSERVANCY.

	Present Actual Toll Charged.		Present Maximum Powers.		Tolls Proposed by Provisional Order				Amendments Proposed by Lea Conservancy.			
	Viâ Bromley.	Viâ Limehouse.	Viâ Bromley.	Viâ Limehouse.	Viâ Bromley.		Viâ Limehouse.		Viâ Bromley.		Viâ Limehouse.	
	All Classes.	All Classes.	All Classes.	All Classes.	Classes A. & B.	Other Classes.	Classes A. & B.	Other Classes.	Classes A. & B.	Other Classes.	Classes A. & B.	Other Classes.
	Pence.	*Pence.*	*Pence.*	*Pence*	*Pence.*	*Pence.*	*Pence.*	*Pence*	*Pence.*	*Pence.*	*Pence.*	*Pence.*
Limehouse Cut	-	2·50 Coal 3·00	-	2·50 Coal 3·00	-	-	2·50	2·50	-	-	2·50	2·50 Coal 3·00
Up Trade.												
First 4 miles Old Ford to Tottenham.	4·00	5·00 to 6·00	4·00	6·50 to 7·00	3·50	3·50	6·00	6·00	4·00	4·00	6·50 to 7·00	6·50 to 7·00
4 to 7 miles Head of Tottenham Lock to tail of Pickett's Lock.	5·00 to 6·00	5·00 to 6·00	8·00	10·50 to 11·00	4·10	4·70	6·60	7·20	4·00 to 6·50	4·00 to 6·75	6·50 to 9·50	6·50 to 9·75
7 to 10 miles Head of Pickett's Lock to tail of Enfield Lock.	5·00 to 8·00	5·00 to 8·00	8·00	10·50 to 11·00	4·70	5·90	7·20	8·40	6·50 to 8·00	6·75 to 9·00	9·00 to 11·00	92·5 to 12·00
10 to 14 miles Head of Enfield Lock to tail of Aqueduct Lock.	5·00 to 13·00	5·00 to 13·00	13·00	15·50 to 16·00	5·50	7·50	8·00	10·00	8·00 to 10·00	9·00 to 12·00	10·50 to 13·00	11·50 to 15·00
14 to 17½ miles Head of Aqueduct Lock to Fielde's Weir.	5·00 to 15·00	5·00 to 15·00	17·00	19·50 to 20·00	6·20	8·90	8·70	11·40	10·00 to 11·75	12·00 to 14·50	12·50 to 14·75	14·50 to 17·50
17½ to 24½ miles Above Fielde's Weir to Hertford.	5·00 to 15·00	5·00 to 15·00	21·00	23·50 to 24·00	7·60	11·70	10·10	14·20	11·75 to 15·25	14·50 to 19·75	14·25 to 18·25	17·00 to 22·75
Down Trade.	All Classes.		All Classes.		Classes A. & B.	Other Classes.			Classes A. & B.		Other Classes	
10½ miles Hertford to Head of Aqueduct Lock.	4·00		8·00		4·80	6·10			4·00 to 8·25*		4·00 to 9·50*	
10½ to 14½ miles Tail of Aqueduct Lock to head of Enfield Lock.	5·00 to 13·00		13·00		5·60	7·70			8·25 to 10·25		9·50 to 12·25	

* "Provided that the Toll on Merchandise in any Class conveyed down the Canal from Hertford and Ware to any point between Fielde's Weir Lock and the head of Aqueduct Lock shall not exceed 8*d.* per ton."
June 22nd, 1894.

Geo. Corble, Clerk.

MR. THOMAS GARDNER is called in; and, having been sworn, is Examined, as follows:

Mr. *Claude Baggallay.*

5754. YOU are a member of the firm of Gardner Brothers, Bargeowners and Lightermen at Mile End?—I am.

5755. I believe you are the representative of traders on the Lea Conservancy Board, and have been so since 1889?—Yes.

5756. You are owners of a large number of barges trading on the River Lea?—Yes.

5757. To all parts?—Yes.

Mr. *Claude Baggallay*—continued.

5758. Have you gone into the matter of the Schedule of tolls from time to time, both for the Conservancy Board and for the traders?—I have.

5759. How many landowners' representatives have you on the board?—Five.

5760. And they are also interested in the manure business?—They are mostly representatives of the traders and manufacturers on the Lea.

Mr. *Claude Baggallay*—continued.

Lea. I am the representative of the barge owners.

5761. Are they elected by the landowners?—They are.

5762. Are the board strongly in favour of abolishing this manure exemption?—They are; they think it is a great anomaly that manure barges should pass over the whole length of the navigation and not contribute anything towards its revenue.

5763. Were you present at a meeting of traders and wharfowners when this matter was considered?—Yes.

5764. Was it specially summoned by the chairman of the board to consider the question of the manure exemption amongst other matters?—To consider the question of the alterations in the River Lea tolls generally.

5765. Can you tell the Committee what the traders and the people decided to do upon that occasion?—They passed a resolution expressing confidence in their representatives, endorsing thereby the proposals that were made by the members of the board.

5766. I do not want to go into matters other than manure at the present moment, but with regard to this manure question, what is your view?—I think the suggested toll of 3*d.* per ton is a very moderate one, and one which such a traffic ought fairly to pay.

5767. Do you do any conveying of manure and refuse by your barges?—We carry a large quantity of refuse for one of the London vestries on the Regent's Canal; it passes thence on to the River Lea to the point where it is unloaded. The whole of that is declared as refuse or hard-core, and pays the Regent's Canal Company a toll, and also the River Lea toll. I am aware that similar goods or refuse has been passed over the River Lea, but declared as manure. It has been deposited on land, but no one can say that that class of goods, London town refuse, can be described fairly as manure, and I am of opinion that manure ought to pay its small quota towards the expenses of the navigation.

Chairman.

5768. Do you mean that town refuse is not used as manure and spread on the land?—It is not. It is principally deposited upon low-lying grounds to get rid of it.

Mr. *Spicer.*

5769. I understand you are a member of the Conservancy Board?—Yes.

5770. And you have been in the habit of paying for all the refuse that you have passed along?—Yes, always.

5771. How is it that if you have paid, you have allowed other people to pass this traffic along without paying for it?—I have protested very strongly against the fact that we did not follow up the destination of some of the goods conveyed in the barges and ascertain whether they were *bonâ fide* used as manure, or not.

5772. I take it that this question of refuse used for filling up land has often come up?—Yes.

5773. Why is it that you have not fought that question out?—We ought to have done so before.

Mr. *Spicer*—continued.

I have been a member of the Board since 1889, and I have always expressed the opinion that such goods as Regent's Canal Company's mud and parish hard core and refuse ought not to have been allowed in any case to pass over the River Lea as manure.

5774. Have you ever claimed the exemption in the same way?—Never; we paid on all.

5775. You have been in a minority in your action?—The board has never taken any active steps until comparatively lately, to enforce what I believe their right to say that all stuff which is not actually used for manuring the land ought to pay the toll.

Sir *William Houldsworth.*

5776. Do I understand that you pay toll on *bonâ fide* manure that you carry?—No.

5777. And is this, which is deposited, ever used for spreading on the land afterwards?—That has been the contention of some of the consignors of these goods, and in small quantities it is possible it may have been so used.

Sir *Richard Paget.*

5778. I understood you to say that manure ought not to be charged; how would you distinguish as to what is manure and what is not, of this refuse?—My opinion is that manure should pay a small charge of 3*d.* per ton proposed, and thereby it would be unnecessary to distinguish between that and this other filth and rubbish which is already at the present time compelled to pay the 3*d.*

5779. Then you would have a rate of 3*d.* for all this refuse?—Yes.

Mr. *Young.*

5780. And for all manure?—And for all manure.

Cross-examined by Mr. *Pope.*

5781. Surely as your Schedule stands you treat a barge laden with these untollable commodities as though it were an empty barge on your Schedule; they do not go absolutely free?—They pay 3*s.*

5782. Under part 2 of your Schedule which runs "On an empty barge or other craft not paying tolls of the amount of three shillings or a barge or other craft laden with manure or other commodity exempt from toll under the Lea Act for each time of passing through or over any canal or through the locks, cuts, ponds or places between the same respective places the sum of three shillings"?—Yes.

5783. So that supposing a barge were laden with river dredgings of the Regent's Canal, it would be liable to pay 3*s.* if it passed through a lock?—Yes.

5784. And if it paid toll it would not?—If it paid toll the 3*s.* would be done away with.

5785. What would happen would be this: it would pay toll upon a commodity which is worthless, though it is now taxable to the extent of 3*s.* for the privilege of using the canal?—Some of the commodity which is worthless we take away, and we pay the Regent's Canal Company 7*d.* for passing over a mile, or a mile and a-half,

Mr. *Pope*—continued.

and the Regent's Canal Company themselves think it fair that these worthless commodities should pay a moderate toll.

5786. They have power to enforce it which may make all the difference; that is the exact fact. You would make the commodity tollable; your present Schedule fixes a charge of 3*s.* upon a boat conveying the commodity of any one?—Yes.

5787. That means 3*d.* a ton upon 36 tons?—Sixty tons would be 15*s.*

Re-examined by Mr. *Littler.*

5788. Having regard to the class of traffic upon your navigation, do you see any justification for that continuance of the exemptions?—I do not.

Mr. *Littler*—continued.

5789. And you know the whole district of the River Lea, and you are in communication with those who use the manure, and those who carry the manure?—Yes.

5790. So far as you know, is there one human being on the navigation, with the exception of the Regent's Canal Company, raising the slightest objection to the alteration?—I have heard of none.

The Witness is directed to withdraw.

Mr. *Littler.*] That is all the evidence that I have to call upon the point.

Mr. *Pope.*] I will call Mr. Thomas and see what the real fact is, and how it operates.

Mr. EDWIN THOMAS is called in; and having been sworn, is Examined, as follows:

Mr. *Pope.*

5791. You are Secretary and Manager of the Regent's Canal?—Engineer and manager.

5792. Just explain to the Committee what the river dredgings are in respect to which you desire to maintain the exemption which at present exists?—That is the deposit which falls into the bed of the canal, and we remove it by means of dredging. That is mud, and it has to be disposed of up the River Lea or out into the River Thames, but people take it now up the River Lea.

5793. What do you do with it?—Shoot it on to the land adjoining the river close to the bank.

5794. Is it useful for any purpose?—Yes, it is a fertilizer, it is manure put on land.

5795. Do you dispose of it to the farmers, or put it upon the land?—We put it on farm land, and the farmer disposes of it as he sees best.

Chairman.

5796. Does he buy it from you?—No, we pay for the land upon which it is deposited.

5797. You pay the farmer for putting it on the land?—Yes.

5798. And he puts it on the land as a fertilizer?—I presume he does.

Mr. *Pope.*

5799. What is the amount of that traffic?—The mud alone was 15,000 tons last year.

5800. Is there any other traffic besides the river dredgings?—Yes, the intercharge traffic altogether is 81,000 tons, a little more.

5801. Can you explain this to me. Mr. Corble said that this amounted at the outside to 30,000 tons altogether, and would affect your revenue to the extent of 268*l.* a year?—The quantity that I mentioned to you there was manure and refuse, which should pass toll free on the River Lea, amounting to 45,400 tons odd.

5802. I should like to know whether you can say what manure it was?—I cannot tell you. It varies; stable manure and various other kinds.

Mr. *Pope*—continued.

5803. Nobody can say that stable manure is not manure?—Various other kinds of manure, soft core.

5804. I want you to tell the Committee what the extent of the exemption so far as your interests are concerned really amounts to?—It amounts to 45,400 tons.

5805. That is independent of the river dredging?—Yes.

5806. Can you say what the 45,400 tons consists of?—It is ordinary manure and what is termed soft core and such like, vegetable matter.

5807. I do not know what soft core is?—It is vegetable matter found in dust yards.

5808. It is cabbage stumps and decaying vegetable?—Yes.

5809. Decaying vegetable is manure?—Yes, it is made up of that kind of material.

5810. What proportion was the other manure in that 45,000 tons?—I cannot answer that; I cannot say.

5811. Any considerable proportion?—I should say probably half; I cannot be certain.

Cross-examined by Mr. *Littler.*

5812. The 45,000 tons includes a large quantity carried by Messrs Gardner and Company?—Yes, some.

5813. They pay?—Yes.

5814. And other honest people do also?—Yes, on the Lea.

5815. Can you tell how much is carried over your navigation toll free?—I cannot answer that question; but this is what ought to be carried toll-free, according to our construction of the Act.

Mr. *Littler.*] You do not know what is carried; we do.

The Witness is directed to withdraw.

Mr. *Pope.*] I have no other witness. I have not many observations to make. I would say that this exemption has been going on for a great number of years; it has been claimed not to be within the toll-carrying power which exists at

at present. The power they seek is simply to impose a new toll and a new impost upon these particular—I was going to call them commodities myself, because I did not know what word to use, to the last witness. Our argument is that at present they are not tollable, either by reason of being manure, or if not manure they are not tollable within the powers of the Lea Acts at present, because the Lea Act only entitles them to make a charge in respect of goods, wares, merchandise, and commodities, and this sort of refuse would fall under none of these denominations. I take the law to be that a canal, like a railway, is a highway subject to a right to charge tolls as limited by their Act of Parliament. All the public are entitled to make use of it, and they are only entitled to charge upon the scale of any articles which are enumerated in their Schedule. This falls under the denomination of nothing which is enumerated in their Schedule, and therefore will not be tollable, that question is practically *sub judice*. They now propose to take a short cut to settle it by asking your Grace and the Committee to give them power to inflict the new toll, that is the whole matter. The question is whether it is a fair and reasonable demand that your Grace can assent to.

Chairman.] It is clear that manure is exempt from toll?

Mr. *Pope.*] Yes.

Chairman.] And you have certain articles which are not manure and which you say are not commodities?

Mr. *Pope.*] Yes.

Chairman.] Then you say that those articles being neither manure, which is exempt from toll, nor commodities, which are not exempt from toll, they ought to be free?

Mr. *Pope.*] All of them.

Chairman.] That is a fresh class.

Mr. *Pope.*] It is a class that is not called to the attention of Parliament, because it is not necessary to fix any toll for them.

Chairman.] That is so.

Mr. *Pope.*] Yes, if they were to be classified they should be classified as untollable articles; a new class, if your Grace pleases.

Mr. *Littler.*] I have a very few words to say. My learned friend, Mr. Pope, suggests that these are not commodities, and your Grace asks whether there should not be a new class. The only class that I can think of would be "all sorts of filth." Why is all sorts of filth to be toll free? No such thing has ever been heard of. Then my learned friend goes back to discuss whether we ought or ought not to argue the matter out in a court of law. The very object of these Schedules is to get rid of all sorts of doubts and difficulties and troubles, in order that everyone may see whether or not he is liable to toll, and if so, how much. Has there been any justification suggested for this charging of toll upon this matter; 15,000 tons of this stuff is brought down by the canal company themselves, and they say, although we toll everybody and everything that comes on to our canal when we want to get rid of the silt and the filth from the bottom of our canal, we propose to put it down by our neighbour's side, going toll free. Can there be any justification for it? I did not waste time with Mr. Thomas as to what became of the silt after he said he presumed the farmers used it, because you have direct evidence that the farmers do not use it, because it is shot in heaps five or six feet deep upon any piece of land they can get which is below the level of the River Lea. Now why are they not to pay for the use of our navigation for the purpose of removing their filth? If it were the other way about, and we wanted to get rid of our filth upon the Regent's Canal we should have to pay. Surely upon competing navigations there ought to be some reasonable reciprocity. With regard to these other things I did not trouble Mr. Thomas after I found he had not any idea how much did or did not pay upon our navigation. He says that 45,000 tons of what he classifies as manure comes on to this place, but his classification of manure makes people pay. Mr. Gardner told you that he got thousands of tons, at any rate a very large quantity from the Regent's Canal, and pays both on the Regent's Canal and the River Lea navigation. It appears as if there was a very considerable proportion of honest people in the valley of the Lea, because every ounce of the 45,000 tons, with the exception of the 15,000 tons, pays the tolls of the canal company that we are compelled to carry free. Then, in addition to that, out of the 45,000 tons to make up the 28,000 or 30,000 tons, whichever it may be, absolutely one-third of it is not declared how it ought to be. Is there any justification for this when not a single landowner in the whole of the 24 miles, and not a single trader in the whole 24 miles, not even the farmer who receives his stuff, complains in the smallest degree of the proposal that we make? On the contrary, they would be of opinion that that which is best for them is to give us a fair and reasonable margin for carrying out our works and paying off our debts, because, unless we have our margin, this sinking fund must be inoperative under the conditions of the navigation and the competition that we have to contend against. I do ask your Grace to adopt the same course as you adopted in the Great Northern case, and say this is an exemption that should not be allowed.

Mr. *Pelham.*] Your Grace remembers in certain cases I stated that the view the Board of Trade took was that exemptions are imposed by Parliament, and if removed they should be removed by Parliament; it is not for the Board of Trade to do it. But I cannot help saying for the Board of Trade that I think a very weak case is made out, because it has not been claimed by the landowners in whose favour the exemptions have been given, but it is only claimed before the Committee by an adjoining canal company. The witness stated what was proved before me in evidence, that the Regent's Canal Company charged 7*d.* for some of this filth of the London vestries going about half a mile upon their canal, and yet they said if any charge is made whatever on the River Lea it would kill the trade. It seems to me that there is a considerable margin between killing the trade and something being struck off the 7*d.* charged by the Regent's Canal Company. But I have only to suggest that if the

Committee did think that the exemption should be abolished; the toll for A. and B. is rather high, and I suggest, for the consideration of the Committee, whether it should not come under the special clause at the end of Table I., page 8, which says the toll for spoil, clay, earth, or hard core conveyed for any distance on any part of the navigation should be 3*d.* a ton.

Chairman.] How would that meet it?

Mr. *Pelham.*] I should suggest that it should not exceed 3*d.* per ton.

The Earl of *Lauderdale.*] You would add manure to that?

Mr. *Pelham.*] Yes.

Mr. *Littler.*] May I point out that our proposal is that that exemption should not exist, because if your Grace looks at our proposals you see we propose to strike out the whole of page 8, and substitute a Schedule which gives no exemptions or reductions whatever, and we hope, if it came to that, that neither spoil, clay, earth, nor hard core will be exempt from the general classification. Again, this is creating a new exemption or a new modification of tolls, which, when the time arrives, we shall ask to strike out altogether. It may be convenient after this suggestion of Mr. Pelham's that my case should stand over till then.

Chairman.] You propose to strike out the whole of page 8?

Mr. *Littler.*] Yes, Table A., Part I. If your Grace looks at page 2 of the amendments, you will see that we proposed Scale 1 for the Limehouse Cut and then for Scale 2, comparable with the one which is put in the Board of Trade Scale, your Grace will see that we propose a different scale altogether, and that we exclude any sort of alteration or reduction except that between Fieldes' Weir Lock and the head of Aqueduct Lock, the total toll shall not be more than 8*d.*

Chairman.] How would that include manure?

Mr. *Littler.*] We should only deal with manure in Class A., the lowest class.

Mr. *Pope.*] Refuse must be included in Class A. or not become tollable under your own proposition.

Mr. *Littler.*] It would become liable to the same toll as A.; under page 2 it would become liable for the first six miles to one penny per ton per mile, and after that to a halfpenny.

Chairman.] Which part of the blue Provisional Order would it come under, unclassified traffic?

Mr. *Pelham.*] Page 6, Clause 13, "Classification of unenumerated articles," there is a general clause which relates to unclassified articles.

Mr. *Littler.*] We shall tender evidence against this "spoil, clay, earth, or hard core being carried for a total distance of 24 miles for 3*d.*" I do not know what would be the more convenient course; would your Grace hear our objection to those proposed words of the Board of Trade proviso at the bottom of page 8 before dealing with the manure question, or decide that it shall not be exempt, and then postpone the question as to how it shall be dealt with? Would it be convenient to decide the question whether there is to be an exemption or not? If your Grace decides that the exemption shall be abolished, then we can deal with where it is to be placed later on.

Mr. *Pope.*] The first question is whether the exemption is to be total, or, as proposed by the Board of Trade, only where the manure is used on the adjoining land?

Chairman.] The Committee decide to abolish the exemption, and will decide at another stage where it is to be put in.

Mr. *Littler.*] Mr. Pelham agrees with me that it would be better to go on to the main matter of the tolls where I propose to omit the whole of page 8, and substitute for it our scale. We will call Mr. Corble upon it. Do I understand that the Regent's Canal only trouble themselves further so far as relates to where the manure is to come in?

Mr. *Pope.*] And whether or not the proviso and the maximum toll is to be preserved as regards whatever the article is?

Chairman.] We think it would be rather convenient now to decide where manure is to come in.

Mr. *Littler.*] I thought that if you heard the general evidence as to this proposal of ours to strike out the modification of the Board of Trade, then your Grace would be in a position to deal with the whole matter under one heading; because we certainly propose to give evidence against the Board of Trade proviso at the bottom of that page in dealing with the general question of what the tolls should be. Your Grace will find that we ask to strike out the whole of that, therefore as we compare the rates in the two Schedules, and then deal with them at the same time, it will save time to take it in that way. I can save the time of the Committee because I understand now that whatever happens with regard to the Board of Trade proviso, whether those articles are put at 3*d.* or not, we are prepared to say that manure should not pay more than 3*d.* The question therefore is, whether hard core and clay, which are not manure, should have any special rate or not.

Mr. *Pope.*] I should be content, your Grace having decided that I am to be tollable, with whatever Schedule your Grace may say is the proper toll, provided the Board of Trade maximum of 3*d.* is maintained in the future. Then I do not care what qualification is made in the details.

Chairman.] Then you agreed that manure should be put in the Schedule at a toll not exceeding 3*d.*

Mr. *Littler.*] Yes.

Mr. *Pope.*] Then, inasmuch as it may be doubtful whether these articles such as refuse are really manure, it will be necessary to add a word to make it clear if they are to be included in the same category.

Mr. *Littler.*] That I am going to ask the opinion of the Committee upon.

Mr. *Pope.*] Therefore it will be "Provided, notwithstanding

notwithstanding anything in the above Tables, the toll for spoil, clay, earth, refuse, or hard core."

Mr. *Littler.*] That we contest. So far as manure is concerned, the sort of manure we are willing to take at not exceeding 3*d.* is what you find upon page 15. Your Grace sees in Class A., the fifth article in the second column of Class A., is "Manure, street, stable, farm, in bulk." That is what we are content to take for not exceeding 3*d.*; with regard to the other, I shall ask the opinion of the Committee whether anything shall be done in their favour.

Chairman.] What do you propose now to do?

Mr. *Littler.*] To give some reason why we ask for our amendment on page 2 as to the entire classification, including the Board of Trade proviso in comparison with the Board of Trade toll on page 8 of the Order.

Chairman.] Is anybody opposing the amendment?

Mr. *Claude Baggallay.*] I do not think there is; I think the only question is between ourselves and Mr. Pelham, for the Board of Trade.

Mr. *Pope.*] I should oppose it unless I am included in the proviso. If I am included in the proviso I am content with the Schedule they propose. If they are going to charge 3·50*d.* for the first four miles upon the stuff that I have to send, without my having the protection of the proviso maximum of 3*d.*, I must oppose the 3·50*d.*

Chairman.] You want to be included?

Mr. *Pope.*] I want it made clear that I am included in "spoil, clay, earth, or hard core."

Earl of *Lauderdale.*] Does the Board of Trade proviso cover your objections?

Mr. *Pope.*] The Board of Trade proviso covers our objections with the additional words "river dredgings." It might come under spoil or earth, but it is arguable.

Earl of *Lauderdale.*] It does practically cover your objections.

Mr. *Pope.*] It does practically cover our objections; if I am included with spoil and earth under general river dredgings, I have no more to say about the Schedule. If you kindly allow me, I can make my objection very plain. Turning to the proviso of the Board of Trade, they say that manure is not specified in the Board of Trade proviso at all, but "spoil, clay, earth, or hard core," is to be subject to a maximum toll of 3*d.*, and manure is admitted now. In the notice we are told that the charge of 3*d.* was for all descriptions of commodities, "hard core, soft core, river dredgings, mud, street sweepings, gas lime, and all other kinds of trade refuse." They gave this notice on the 22nd of March, and claimed a toll of 3*d.* a ton. If those words "river dredgings" are inserted that is the only matter I have any interest in. I do not care to include anything else. Then it will read "Provided that notwithstanding anything in the above Tables the toll for spoil, clay, earth, hard core, or river dredgings shall be 3*d.* per ton."

Sir *William Houldsworth.*] "River or canal dredgings" you would have?

Mr. *Pope.*] Yes, "River or canal dredgings," I agree.

Mr. *Claude Baggalay.*] We have an objection very strongly to making such a concession as that of 3*d.* as a maximum charge per ton for river or canal dredgings, just as we shall object to having 3*d.* as a maximum for spoil, clay, earth, or hard core. But what we concede is that manure proper shall go for 3*d.*; that is why we are anxious that these other matters should be considered when we have given our reasons for objecting to this particular proviso. We propose to give evidence why we substitute this Table for the other Table.

Mr. *Pelham.*] As regards Scale 1, Limehouse Cut, I understand the only amendment they have got there is to charge something higher for coal and coke. The Board of Trade felt a difficulty about giving a higher toll for coal, which is generally the lowest article. This is an existing charge, and if the Committee do not see any objection to it the Board of Trade will not object to it.

Mr. *Claude Baggallay.*] That is the only amendment in Scale 1. It will be to insert the amendment upon page 8, "except coals and coke," and then at the bottom of the Table, after Class 5, to insert "for coals and coke." And then in the column of maximum tolls to insert "3*d.*," and in the column of maximum wharfage charges to insert "1·50*d.*" Those are the existing tolls on the Limehouse Cut.

Earl of *Lauderdale.*] Is that your amendment?

Mr. *Claude Baggallay.*] Yes; and Mr. Pelham does not raise any objection to this alteration.

Chairman.] Then there is no objection to Scale 1 as amended. Now take Scale 2.

MR. GEORGE CORBLE, is re-called; and further Examined, as follows:

Mr. *Claude Baggallay.*

5815*. YOU have been carefully into the accounts of the Board for the last few years, have you not?—I have.

5816. Is it the fact that during the last few years, although the revenues of the Board have been sufficient to pay the interest upon their debt and the working expenses, it has not been

Mr. *Claude Baggallay*—continued.

sufficient to enable them to comply with their statutory obligations in respect of the sinking fund?—That is so; the last four or five years we have not been able to put by 1,500*l.* a-year.

Sir *Richard Paget.*] There has not been any dispute about this.

5817. I will

Mr. *Claude Baggallay.*

5817. I will take it shortly. (To the *Witness.*) Will Scale 2 considerably reduce the revenue of the Board?—It will reduce it by 718*l.* on the year.

5818. You will have to make a slight modification of that in the first place, because you get the manure charge to-day which you had not before, and in the second place because there is a concession just been made with regard to coals on the Limehouse Cut; can you say approximately what loss you will have then?—As against the manure, we take off 3*s.* per barge, which we get now; then there is wharfage, 155*l.*, which the Board of Trade knock off. We now charge on manure landed over the towing-path, 2*d.* a ton; if it comes under the tollable portion, as it will do, that 155*l.* will go, because we shall not have power to charge upon any artieles already paying toll.

Mr. *Pope.*

5818*. That is over the towing-path?—Yes.

5819. That applies to all articles going over the towing-path?—At present we only charge for loading over the towing-path goods not having paid toll.

5820. With regard to all these exempted articles, if they do load over the towing-path they pay you 2*d.* a ton?—They do now.

Mr. *Claude Baggallay.*

5821. But they will not hereafter?—No; because there will not be any exemptions.

5822. You will not have power to charge it hereafter?—No.

Sir *William Houldsworth.*

5823. What will the figure of 718*l.* become?—Roughly, it will bring it down to 590*l.*

Mr. *Claude Baggallay.*

5824. So that you will be about 600*l.* a year short of what you have now with regard to paying your sinking fund?—Yes, we have compared the items with the rates proposed by the Board of Trade, as you find in the printed Table marked No. 1, showing the total.

5825. Have you been carefully into the question of what you could earn, supposing you charged the maximum rates proposed to be authorised by the Board of Trade Schedule?—I have.

5826. Can you tell me, supposing you could charge your maximum rates, what would be the effect?—The figure I gave you, if you look at page 1 at the bottom of the first column, gives the actual cash received for the year, 13,860*l.* The next column gives you the maximum toll receivable under the Provisional Order if put in force throughout, that is if the whole maximum tolls were imposed it would give us 14,025*l.*, but we could not charge the whole that they give us.

5827. The maximum toll, if you could charge it, would give you an increase of about 155*l.* upon your present revenue?—Yes, it would be so.

5828. But is it the fact that it would be impracticable for you in a large number of cases to charge your maximum tolls, or in fact any higher than what you charge now?—The trade would not feel it.

Mr. *Claude Baggallay*—continued.

5829. Therefore, in your opinion, it is necessary that there should be a great re-adjustment of the maximum charges in each case, giving you a certain margin above your present actual charges, though a lower margin than what you have at the present time?—Yes.

5830. Has the scale which you have prepared, and which is proposed on page 2 of the amendment, been prepared on that basis?—It has.

5831. Coming to that particular scale; take Table No. 3, that is applying your present actual tolls and your present maximum powers, the tolls proposed by the Order and the amendment proposed by the Conservancy?—Yes.

5832. Will you just explain that, as regards the up trades your present charges are the same as your maximum, are they not, *viâ* Bromley?—Yes.

5833. But *viâ* Limehouse Cut they are somewhat under your maximum?—Yes.

5834. *Viâ* Bromley the Provisional Order would reduce your maximum charges, not only below your present maximum powers, but also below your actual existing charges?—Just so.

5835. And *viâ* Limehouse, it would give you a maximum which is the same as your highest existing actual charge without any margin?—That is so.

5836. You propose, by your amendments, that your maximum power of charging *viâ* Bromley should be the same as at present, the same as your present actual charge and actual power?—Four pence a ton; that was the stumbling block which there was such a difficulty of getting over with the Board of Trade dealing with the first four miles, and the next two or three miles.

5837. Will you explain this to the Committee. Your navigation near the Thames divides, and one part of the navigation passes through Limehouse Cut——

Sir *Richard Paget.*] We have had this.

Witness.] The plan shows that.

Chairman.

5838. We have not got it in evidence; we have only had it in the speech of the learned counsel, Mr. Claude Baggallay. It is the fact, is it not, that your navigation divides near Bromley Lock, one part of it going by a cut called Limehouse Cut, which goes *viâ* Britannia Lock and Limehouse Lock into the Thames?—Yes.

5839. And the other part of the navigation goes down by Bow Creek to the Thames direct?—Yes.

5840. When you speak of Bromley you mean the natural river, *viâ* Bow Creek?—Yes.

5841. With regard to that four miles, to take the last column, of goods *viâ* Limehouse, the maximum charges proposed by you there are the same as your present maximum, and a little more than what your present actual charges are?—That is so.

5842. That is, they are larger in some cases, but not in all?—Yes.

5843. With regard to the distance of four to seven miles, there the Board of Trade proposal reduces

Chairman—continued.

reduces your maximum power of charging *viâ* Bromley below your present actual tolls, does it not?—Yes.

5844. Not only below your maximum charges but also below the actual charges?—Yes.

5845. And *viâ* Limehouse the Board of Trade proposal reduces you considerably below your present maximum?—Yes.

5846. Your proposal, *viâ* Bromley, is to take a power of charging which is, in some cases, lower, and in some cases above your present actual power?—Yes. What is proposed by the Board of Trade, the 3·50*d.* and the ·20*d.*, &c., would give us in some cases a higher maximum than we are at present charging. What the Conservancy propose would not exceed their present maximum powers except in two slight instances, and those we can remedy by a few words in a saving clause in some such words as those at the foot of page 3 of the Tables. What the Conservancy propose would not, except in those two cases, increase their present maximum. What the Board of Trade propose would reduce not only our present maximum in some cases, but our present actual charge, which we say we cannot afford to do in the state of our funds.

5847. Which are the two cases you refer to?—If you go to the 3rd column on sheet 3, in the line which begins "seven to 10 miles," you will see the present maximum power, taking the 3rd and 4th columns, is 8*d.* and 11*d.*, and taking the two last columns, you will see that it comes out 8*d.* and 9*d.* and 11*d.* and 1*s.*; that is one case.

5848. Now the other?—Below in the down trade, 10¼ miles, in the second column, all classes 8*d.* If you carry your eye along to the last two columns, you see that it brings that 8*d.* to 8·25*d.* and 9·50*d.* To remedy that, we propose that the toll on merchandise in any class conveyed down the canal from Hertford and Ware to any point between Fielde's Weir Lock and the head of Aqueduct Lock shall not exceed 8*d.* per ton; that is our present power.

5849. That would meet the second case you mentioned?—Yes.

5850. You are prepared also to insert similar words with regard to the other case of up-trade, so as to prevent your exceeding the present maximum?—A few words similar to those would meet the other case, and we shall then not be extending anywhere our present maximum powers.

5851. Will you explain to the Committee why you take the distance "for the first six miles" on page 2 of the amendments; that is in Scale 2?—It is in that first six miles that we should lose principally if we adopted the Board of Trade figures. We showed that to Mr. Pelham in evidence, I think, very clearly, and we feel we cannot run the risk of losing on that first six six miles; if we took the Board of Trade proposal, taking the long distance up to 27 miles, we should not lose, but it is the first six or seven miles that is the block we have been stumbling on.

5852. There is a part of this navigation which we are obliged to maintain; that is coloured red on the plan, and it is called Bow River. You

Chairman—continued.

have to maintain that under the statute, but in respect of that you make no charge, and have no power to make any charge?—That is so.

5853. And will have no power to make any charge, however this Order is framed?—Yes, though we are obliged to maintain that very expensive part of the navigation, it is toll-free by statute.

5854. In this lower part of the river is your expense increasing or not?—It is increasing year by year in the lower part, especially for dredging. We find that the Thames water brings more mud in suspension than formerly, and we have to dredge more frequently.

5855. What is that attributable to; is it to the constant churning of the water by steamers?—That is what we are led to suppose, and likewise the influx of the County Council sewers, we have storm-water outlets at Old Ford, and they pour a lot of sewage and a road detritus into the navigation at any time of rainfall.

5856. Whenever half an inch of rain falls in London, those storm overflows at Old Ford discharge crude sewage and filth straight into the river?—That is so.

Sir *William Houldsworth.*

5857. Am I right in supposing that the difference would be this: taking Scale 2 and taking a distance of six miles, for the first four miles it would be 3·50*d.*, and twice ·20*d.* for the other two miles, making 3·90*d.*?—Yes.

5858. Whereas your scale would be 1*d.* per mile for the six miles, that is 6*d.*?—Yes, and we at present have power to charge 8*d.*

5859. Have you had any complaints of your present charges?—None whatever.

Mr. *Claude Baggallay.*

5860. Have you had any complaints or representations made to you with regard to your proposals?—None whatever.

5861. Is it the fact that your chairman summoned a meeting of a very large number of traders and persons interested to consider these matters, and to express their opinions to your Board?—The chairman sent out about 800 notices to every trader and wharfowner on the navigation explaining in detail what was proposed, and we proposed then more than we do now, because we propose to tax the free river above; and there was not one dissentient, everyone agreed to leave it in the hands of the Conservancy.

5862. The meeting was called, to be held at the points. In the first place the Corn Exchange in the City of London, at 3 o'clock in the afternoon, when you were likely to get most persons interested in the trade to attend?—Yes.

5863. Was it a well-attended meeting?—Yes, I believe it was; I was not there.

Chairman.] Mr. Pope, I daresay, does not dispute it was a large meeting.

Mr. *Pope.*] I do not interfere with this scale of rates.

Mr. *Pelham.*] It might shorten the proceedings if I was to say that I cannot see any objection to the 3·50 in the two places in the first column in Scale 2 being made 4*d.*, that would be

1*d.* a mile for four miles, but the Conservancy ask that that 1*d.* should go further on to six miles. and then they also ask that in the second column for the remainder of the distance the charge should be much higher; I do not feel inclined to express the approval of the Board of Trade to that.

Sir *Richard Paget.*] Would that still leave the Conservancy with a largely diminished income.

Mr. *Pelham.*] I hardly think with the exemption removed it would leave any diminished income.

Sir *William Houldsworth.*] It would make it 4·40*d.* against the 6*d.* they ask for.

Mr. *Pelham.*] Yes.

Witness.] At present we have the power to charge 8*d.*

Mr. *Claude Baggallay.*

5864. With regard to those two points, in the first place, the suggestion is that 4*d.* might stand instead of 3½*d.* in the first column; would that meet your view?—No, it is up to the first 10 miles that the pinch comes.

5865. You want the first distance to be six miles, and attach great importance to the six miles?—Yes; because within that six miles we have a large trade at Tottenham which would suffer principally by this reduction.

5866. With regard to the next column, do you attach importance to that; your proposal is to raise the ·20 to ½*d.*, and the ·40 to ¾*d.*?—Yes.

5867. Is that also of importance in your mind?—If we do not do that we shall lose the greater part of the 600*l.*

5868. Suppose you had the six miles at 1*d.*, with a lower rate for the succeeding four miles under that second column, would that still make a considerable difference to you?—That is if the Board of Trade agree to put 4*d.* in the first column, but still adhere to the percentage in the second column?

5869. That would cause a large loss?—It would.

5870. You say the first 10 miles is really of importance; suppose you have got under the Board of Trade proposal, as it is at present, 4*d.* for the first four miles, and ·20 for the next six miles, assuming it is a 10 miles journey, if that first column were altered to six miles at 1*d.*, that is to say, 6*d.* for the first six miles, and four miles at ·20 instead of six miles at ·20?—That would only give you 6·80*d.*, whereas we have now the power of actually charging 8*d.* on some goods.

Sir *Richard Paget.*] How would it be if you had ·50 for the remainder of the distance for all classes?

Mr. *Claude Baggallay.*

5871. Do you mean with the original 4*d.*; what would that come to; that would make 7*d.*?—Yes.

5872. In either of those cases you would be having a maximum which would be below your existing actual charge?—Yes.

5873. In the circumstances of the Lea, do you consider it necessary that you should certainly not be below your present actual charge, but that you should have a certain margin?—We certainly ought to have some margin, the trade may alter, some trade may leave us altogether, we want to provide tolls for a particular trade which may come new to the river.

5874. I have mentioned the expense of dredging, but some of your expenses have increased very considerably lately, your rates and taxes?—The river was free from local rates and taxes up to 1850; they now amount to 1,000*l.* a year, and they are increasing every day.

5875. As regards your security, if you required to raise further money your security would be *nil*?—We have raised 200,000*l.* on the security of our present maximun power.

5876. But at present you cannot comply with what is required of you as regards providing a sinking fund?—No.

5877. Therefore, unless there is some margin, your future power of raising capital would be practically *nil*?—I take it so.

5878. I just want to know this, I believe, as a matter of fact, all the members of your board are traders, are they not, or nearly all of them?—Nearly all the conservators are large landowners or people who have factories, and who have really to pay the tolls.

5879. Your board consists of 13 members?—Yes.

5880. Three officials, one representing the City, one the London County Council, and one some local authorities on the banks: then you have four representatives of water companies, making seven, and the other six are all riparian owners and traders?—That is so.

Mr. *Pope.*] I have nothing to ask the witness. I understand my learned friend to have reserved the question of the proviso.

Mr. *Claude Baggallay.*] Yes.

The Witness is directed to withdraw.

Chairman.] Have you another witness?

Mr. *Claude Baggallay.*] Yes.

MR. EDWARD RIDER COOK, is called in; and having been sworn, is Examined, as follows:

Mr. *Claude Baggallay.*

5881. YOU are Chairman of the Lea Conservancy Board?—Yes.

5882. And part proprietor of the East London Soapworks?—Yes.

5883. That is a very extensive business, is it not, covering some seven acres, situate on the Lea Navigation at Bow?—Yes.

Mr. *Claude Baggallay*—continued.

5884. You were for 24 years on the Metropolitan Board, and you are also a justice of the peace for the county of Essex?—Yes.

5885. And

Mr. *Claude Baggallay*—continued.

5885. And you were for some time Member of Parliament for West Ham North?—Yes.

5886. You have also been one of the representatives of the landowners on the Lea Conservancy Board since 1880?—Yes.

5887. And you have been Chairman of the Board since Janunry 1882?—Yes.

5888. As to that meeting, were you present at the meeting held at the Corn Exchange?—I was.

5889. Was that a well-attended meeting?—A largely-attended meeting.

5890. Was the question generally of the rates and tolls on the Lea gone into?—The question of the provisions that we were about to submit to the Board of Trade were all submitted, every alteration was submitted to the meeting and discussed at considerable length.

5891. And was full confidence expressed in the Board, and power given to the Board to represent the views of the traders?—Yes, the resolution passed was practically a vote of confidence on the part of those who were assembled at the meeting that the members of the Lea Conservancy might be trusted to act in the interests of the traders.

5892. As to this question of security, what is your view with regard to security for your debt if your income is reduced?—We have a very large debt, nearly 200,000*l*., and, at the present time, the debentures of the Conservancy rank as very good security in the City of London, because we have a large margin of power to charge tolls over and above what we are charging; and there is a special clause in one of our Acts which says, if at any time our income falls short, we are to raise the tolls so that we do not exceed the maximum in the Schedule of the Act; so we are to raise the tolls rather than run short of income.

5893. I ought to read that section; it is Section 130 of the Lea Conservancy Act of 1868, and it provides, "Notwithstanding anything in this Act, the tolls levied by the Conservancy Board shall never be so reduced as to prejudice the security of the interest and annual sums now charged on the income or property which may become vested in the Conservancy Board under this Act, or to render the funds of the Conservancy Board available in any year for meeting the expenditure incurred by them in respect of that year insufficient for that purpose; and if any reduction of tolls at any time made is afterwards found to have diminished the income of the Conservancy Board so that the same is insufficient to keep down such interest and annual sums when due, and to meet the expenditure of that year, the Conservancy Board shall thereupon raise the tolls levied by them to such an extent (not exceeding the maximum tolls authorised by the Lea Navigation Improvement Acts and this Act) as will make up a sum sufficient to make good the ascertained insufficiency, and prevent the recurrence of such insufficiency." So you are under a statutory obligation at present, in any case in which you have reduced your tolls, to raise them again, provided you do not increase your maximum?—Yes, and we feel that the Schedule proposed by the Board of Trade would put us in the position of being unable to charge

Mr. *Claude Baggallay*—continued.

even what we are at present charging without having the possibility of any margin if trade were to change in any form. We think we are bound to have a margin over and above what we are really charging in order that our debenture holders may be safe.

5894. You do, from time to time, have now to borrow large or small sums for the purpose of works which you have to execute from time to time?—Yes.

5895. For instance, making or repairing locks and various matters of that sort?—Anything like capital expenditure.

5896. If your income is in any way reduced, having regard to your present inability to meet your sinking fund, would your power of borrowing in your opinion be prejudiced?—I think it would be absolutely destroyed.

Chairman.] I do not think you need go further with that.

Mr. *Claude Baggallay.*] Is it the fact that, besides that meeting of which you spoke there was another meeting held at the London Chamber of Commerce with regard to this matter.

Chairman.] I do not think you need go into that.

Mr. *Claude Baggallay.*] Having regard to the evidence that I have laid before you, in which, practically, I have said by my own mouth and by the mouths of the witnesses all that we have to say, I do not think it necessary to take up your time by making any observations. I only call attention to the special circumstances of this case, and ask the Committee to give this amended Schedule.

Sir *Richard Paget.*] Do you ask for the Schedule as it stands?

Mr. *Claude Baggallay.*] Yes. But there would be an addition to the proviso at the bottom of Scale 2 on page 2 of the amendments; the words to add would be words to cover the other case the witness has mentioned—"and that the toll on merchandise on any class conveyed up the canal from Old Ford Lock to the tail of Enfield Lock shall not exceed 8*d* a ton."

Mr. *Pelham.*] The desire of the Board of Trade was to reproduce the existing tolls as nearly as possible; the difficulty was that there was a higher toll coming on at Old Ford, whether the traffic had come along the Cut or whether it had come along the free part of the river, and it seemed if there was a higher toll given for the traffic coming on to the paying part of the navigation for the first time it would amount to a charge on the free part of the river; I have no doubt that the Board of Trade have unintentionally inflicted a loss on the Conservancy; but I was rather under the impression that if that 3·50*d*. in the first column was altered to 4*d*., that would have met the case. I can hardly follow the figures so as to express an opinion as to whether or not the proposals of the Conservancy would give them higher tolls than they at present charge; so I leave it entirely to the Committee.

Chairman.] Are these tolls in your Scale 2

1*d.* a ton per mile for the first six miles, higher than your present power?

Mr. *Claude Baggallay.*] No, in no case are those higher, except in two cases where there would be a slight excess, which we whittle off by the proviso at the bottom.

Chairman.] In some cases it is in excess of your present actual charge?

Mr. *Claude Baggallay.*] In some cases it is a little in excess of our present actual charge, and so it was in the case of the Board of Trade Order; theirs was in excess in some cases of our actual charge, but in no case is it in excess of our present maximum; in fact, it is a great reduction in most cases.

Mr. *Spicer.*] Have you any figures to show us, if we endorsed your proposals, what they would yield on the same amount of tonnage.

Mr. *Claude Baggallay.*] We might say what it would be, supposing we got the trade and we charged the full maximum power; but we do not believe we could in any case, or except in very few cases, charge in excess of our present actual charge, the trade would not bear it. Therefore our figures which we have prepared have been prepared on the basis of our continuing our present charges, not of our charging our maximum.

Sir *Richard Paget.*] Do we understand that the Board of Trade have no objection to the first six miles being altered to 1*d.* per ton per mile?

Mr. *Pelham.*] Four miles at 1*d.* a mile is what I propose.

The Committee deliberate.

Chairman.] The Committee agree to Scale 2 as proposed by the Conservancy, with the proviso that: "Notwithstanding anything in the above Tables, the toll for spoil, clay, earth, hard or soft core or river dredgings, or manure conveyed for any distance on any part of the River Lea Navigation shall not exceed 3*d.* per ton." Those words of the proviso suggest that it might require a little alteration.

Mr. *Pope.*] I do not think it will if you include the words "river and canal dredgings."

Chairman.] "River and canal dredgings, hard or soft core." It will read as follows: "Provided that, notwithstanding anything in the above Table, the toll for spoil, clay, earth, hard or soft core, canal or river dredgings, manure, as specified in Class A., conveyed for any distance on any part of the River Lea Navigation shall not exceed 3*d.* per ton?" Is refuse to go in?

Mr. *Pope.*] I do not care about that. I am content with "canal or river dredgings."

Chairman.] It will be "manure as specified in Class A."

Mr. *Pope.*] May I suggest that the Conservancy words which they adopted in their notice might appear in the proviso?

Mr. *Claude Baggallay.*] No, that is another matter.

Chairman.] Then there is the proviso at the end: "Provided that the toll on merchandise in any class conveyed down the canal from Hertford and Ware to any point between Fielde's Weir Lock and the head of Aqueduct Lock shall not exceed 8*d.* per ton."

Mr. *Claude Baggallay.*] There will be an addition to that of the words I mentioned, to meet the other point: "That the toll upon merchandise in any class conveyed along the canal from Old Ford Lock to the sill of Enfield Lock shall not exceed 8*d.* per ton." That is to meet the other case the witness mentioned.

Chairman (to Mr. *Pope*).] Have you any objection to that?

Mr. *Pope.*] No.

Mr. *Claude Baggallay.*] On the previous page of the amendments, near the bottom of the page, there is an amendment of the Lea Conservancy Board: At page 7, line 16, to omit Section (ii), and insert "for a fraction of the first four miles on the River Lea Navigation between Old Ford Lock and Hertford, the Conservators may charge as for four miles, and for a fraction of a mile; after such four miles the Conservators may charge according to the number of quarters of a mile in that fraction, and a fraction of a quarter of a mile may be charged for as a quarter of a mile." Mr. Pelham assents to that?

Mr. *Pelham.*] That is only consequential upon the construction of the other.

Mr. *Claude Baggallay.*] Then Sub-section (iii.), at the bottom of the page we withdraw. Then the amendments at the top of page 2 we also withdraw.

Chairman.] Then that ends the canal.

Mr. *Claude Baggallay.*] The amendment at the bottom of the page, at page 14, line 36, and the one on page 14, line 1, are withdrawn.

Severn Navigation.

On Wednesday, 4th July, the following Petitions against the Bill were read:—

The Petition of the Severn Commissioners:

Mr. *Pembroke Stephens*, Q.C., appears as Counsel in support of the Petition.

Messrs. *Grahames and Company* appear as Agents.

The

The Petition of the SEVERN AND CANAL CARRYING COMPANY:

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Neish and Howell* appear as Agents.

Mr. *Pembroke Stephens.*] YOUR Grace, the Severn Navigation stands in a different category to anything that you have had before you hitherto. It is a public trust altogether. It is no question of property or shareholders; it is a public body constituted by representatives of all the large interests, all the large towns, all the navigations and trusts representing the different interests. It was formed in 1842; it has been slightly varied by the growth of other interests since, but substantially it is upon the same lines as it was in 1842, when it was first formed. Of course, my Lord, in the main it is the navigation of the River Severn, but the River Severn has been very largely improved by considerable outlay, approaching 300,000*l.*, has been spent upon it from first to last. It is in this further different category from any other large undertaking, that as soon as the monies borrowed are paid off there is an absolute obligation under our Acts to reduce the tolls to nothing, save so far as may be necessary for the efficient maintenance of the undertaking. It is a trust from first to last of a public character. Of that 300,000*l.* something like 200,000*l.* has been paid, but there remains a debt of 65,000*l.* under the old Act, and 30,000*l* under the Act of 1890, which was incurred at the direct instance of some of the larger towns upon the navigation, which wished further works made and came forward and asked for them.

My Lords, the position is this, that at the present moment, at all events, taking the last few years, the revenue has been sufficient in some years, not quite sufficient in the last year, to pay the interest on the bulk of the debt, that is the 65,000*l.*, but it has not been sufficient to pay the interest on the new 30,000*l.*, therefore it is a case in which the Trust cannot afford to lose any revenues whatever. We have been fortunate in arranging with all the different interests, and, I hope, with the Board of Trade, but there are one or two matters in the Schedule which are of importance to the Trust, and I would ask you to give them your favourable consideration.

The first point that arises is this. There is nothing whatever in the general body of the Bill, but upon page 9, line 15, your Grace sees that for a fraction of a mile the Commissioners may charge according to the number of quarters of a mile. We suggest that the quarter should come in after the first mile, but for the first mile or for anything under the first mile we should have liberty to charge. It has been done very usually, and the Board of Trade considers that our request in that respect is reasonable. Therefore I ask your Grace to give us the first amendment to strike out from "according" to the end of the Special Section (ii.) and substitute "as for a mile."

Chairman.] The Board of Trade do not object?

Mr. *Pelham.*] Mr. Pembroke Stephens says it is only for the first mile, as it is framed it is for every mile.

Mr. *Pembroke Stephens.*] We do not mean that; it is for the first mile, it will be in Subsection (ii.) "for a fraction of a mile."

Mr. *Whitehead.*] It would run "for a fraction of the first mile the Commissioners may charge as for a mile, and a fraction of a quarter of a mile may be charged as for a quarter of a mile."

Chairman.] Let it be so.

Mr. *Pembroke Stephens.*] The next thing is merely verbal; it is in place of "make" to substitute "levy and charge."

Mr. *Pelham.*] We do not object.

Chairman.] Very well.

Mr. *Pembroke Stephens.*] Then we deal with steamboats. The Board of Trade agree to that, that is at page 9, after line 25, to insert "(iv.) Nothing in this Schedule shall affect the right of the Commissioners to levy and take the tolls which they are authorised by the Severn Navigation Acts, 1842 and 1869, to levy, and take for steam vessels and tugs navigating the Severn Navigation, and carrying passengers for pay or hire; and for steam tugs hauling any vessel navigating the Severn Navigation and carrying passengers for pay or hire, and on the vessel so hauled."

Chairman.] Very well.

Mr. *Pembroke Stephens.*] Then paragraph (v.) on page 2 of the amendments, "Nothing in this Schedule or in the Schedule to the Canal Tolls and Charges, No. 3 (Aberdare, &c., Canals) Order, 1894, confirmed by the Canal Tolls and Charges, No. 3 (Aberdare, &c., Canals) Order Confirmation Act, 1894, so far as relating to the Gloucester and Berkeley Canal, shall affect the right and obligation of the Sharpness New Docks and Gloucester and Birmingham Navigation Company to levy and take, under the provisions of Section 16 of the Severn Navigation Act, 1890, the additional toll of one halfpenny per ton on all merchandise passing through the Gloucester Locks of the said navigation company, in any vessel whose carrying capacity exceeds 160 tons, mentioned in that Section, and to pay the proceeds of such toll to the Severn Commissioners in accordance with the provisions of the same Section." The Severn Commissioners in this case found some money for making the works which were technically and physically on the work of another canal, but nevertheless they were paid for by the Severn Commissioners. It was upon the Gloucester and Berkeley Canal, and in respect of that the Gloucester and Berkeley were to collect a halfpenny on each of the vessels that went through, and to pay it over to us in respect of the work done with their money. What has happened has been that in the Order relating to the Gloucester and Berkeley Canal and the Sharpness New Docks that halfpenny has been collected by them.

If it stood there it would not carry it on to us. Therefore what we desire to have is the right to obtain that halfpenny which has been collected on our account by the Gloucester and Berkeley Canal. The charge arises in respect of vessels passing through a portion of the Sharpness and Gloucester Canal, which is at the extremity of our navigation, but nevertheless gives access to it. That work was done, I do not know whether by them or by us, but done with our money, and this was an agreed equivalent at the time. It has been recognised as a right and proper thing in the Gloucester and Berkeley Order, and all we desire is to take power as you see that the additional toll of a halfpenny a ton shall be paid over to us. That is all.

Mr. *Pelham.*] It is somewhat irregular to say something upon this. It is Bills that your Grace has already passed, and the Board of Trade has no objection.

Chairman.] Very well.

Mr. *Whitehead.*] The next amendment appears in the name of the Severn and Canal Carrying Company, Limited. My learned friend Mr. Pembroke Stephens does not oppose this amendment. Mr. Pelham, on the part of the Board of Trade, is willing to have it. The object is to preserve the existing state of things on this river, which, if this section were not inserted, would be upset by a later provision in the Schedule. All parties are agreed.

Chairman.] Let it be so.

Mr. *Pembroke Stephens.*] The next is almost verbal, but consequential. We put in two provisions, one with regard to passenger vessels, and the other with regard to the Gloucester and Somerset, and the numbering of the sub-sections will have to be altered. Then there are certain words at the end of paragraph B. of Sub-section (iv.), and to strike out at lines 34 and 35 "to be used for the purposes of agriculture." That, as it stands, would be in our favour, but we agree to give it up. As it reads, it reads "So far as such exemption relates to farmyard and stable manure, and the refuse of towns to be used for the purposes of agriculture." If you can conceive a case in which it was not used for the purposes of agriculture, it would not apply, and we should get the benefit, but we have undertaken to carry *bonâ fide* farmyard and stable manure free, and that limitation may be struck out. It is against ourselves; but we have undertaken to do that.

Chairman.] We pass it.

Mr. *Pembroke Stephens.*] The next thing is again verbal. "Worcester and Birmingham" is a correction of the Order in the place of "Birmingham and Worcester." Then the next thing is on page 10; that is, to correct a description, but it might be important. In the Order, as it stands at page 10, line 21, it reads: "Provided that, notwithstanding anything in the above Table, the toll for merchandise conveyed only on that part of the Severn Navigation which is below the junction of the River Avon with the River Severn at Tewkesbury shall not exceed 2½*d.* per ton, and that the toll for merchandise conveyed on any part of the Severn Navigation below the entrance lock of the Birmingham and Worcester Canal at Diglis shall not exceed 6*d.* per ton." There are two junctions of rivers, and there is a long system in between the two, and geographically as well as literally we propose to strike out "below the junction of the River Avon and the River Severn at Tewkesbury," and substitute the words "between Gloucester and the River Avon at Tewkesbury," which will take in both.

Chairman.] We pass that.

Mr. *Pembroks Stephens.*] Then overleaf we substitute "Worcester and Birmingham," which is verbal, and the other two amendments go.

Mr. *Whitehead.*] The last amendment stands in the name of my clients. The object was to reduce the tolls on the long-distance traffic. Since we sent in the amendments negotiations have begun between all the parties interested. The Commissioners are mortgagees of the traders, and we have reason to believe the company are going to meet us in the matter in a friendly way, and see the reasonableness of reducing the tolls on the long-distance; therefore, I will not occupy the time of the Committee by pressing it upon them. That should be done under the Schedule, but I leave it to negotiation.

Mr. *Pembroke Stephens.*] Your Lordship has the satisfaction of knowing that you have dealt with one of the largest waterways in the kingdom in the shortest possible time.

Surrey Canal.

Mr. *Pelham.*] In this case there are two small amendments altering the name of the company, and there is a clause about the distance between the River Thames and a certain point, and I agree that this should be inserted, and it is unopposed.

River Thames Navigation.

On Wednesday, 4th July, the following Petition against the Bill was read :—

The Petition of the Conservators of the River Thames (against alterations).

Mr. *Claude Baggallay* appears as Counsel in support of the Petition.

Messrs. *Wyatt and Company* appear as Agents.

Mr. *Claude Baggallay.*] I appear for the Thames Navigation Schedule. There is really no opposition to it. There was one amendment proposed by the Lea Conservancy Board, which we, on behalf of the Thames Conservancy, have agreed to insert. The Board of Trade offer no opposition to it. The amendment has been laid before your Grace: "Provided that the Conservators shall not demand or receive tolls in respect of any vessel navigating westward of London Bridge to or from any point east of Strand-on-the-Green." That will come in on page 13, after line 10.

Chairman.] We pass that.

Mr. *Claude Baggallay.*] That is getting rid of a bigger navigation than the Severn in a shorter time.

Ordered, That this Committee be adjourned to To-morrow, at Half-past Eleven o'clock.

Die Veneris, 13° *Julii*, 1894.

PRESENT:

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES, PROVISIONAL ORDER (No. 12) (GRAND CANAL, &c.) BILL.

(Strathbane Canal Order.)

Mr. *Pelham.*] Before the Committee begins may I, on behalf of the Board of Trade, mention the case of the last Bill before your Grace's Committee, Bill No. 12, which contains the Strathbane Canal Order. The company contend that the canal does not come under the provisions of the Railway and Canal Traffic Act, 1888; and the Board of Trade undertook, if the company forwarded an Opinion of Counsel to that effect, to submit it to the Law Officers of the Crown before proceeding with the Provisional Order. The Board of Trade have only just received Counsel's Opinion: and, although they do not concur in the views expressed in that Opinion, they think it would be right and proper to submit it to the Law Officers of the Crown; and as that can hardly be done before the Committee concludes its labours, they think it will be more convenient to withdraw the Order, it being understood that it is not withdrawn altogether, but only for this Session.

Chairman.] We can have no objection to that being done.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 6) BILL.

(River Lee, &c.)

River Weaver Navigation.

On Wednesday, 4th July, the following Petitions against the Bill were read:—

The Petition of the Trustees of the River Weaver Navigation:

Mr. *Pember*, Q.C., Mr. *Balfour Browne*, Q.C., and Mr. *Moon* appear as Counsel in support of the Petition.

Messrs. *Dyson and Company* appear as Agents.

The Petition of the Northwich Local Board:

Mr. *E. H. Lloyd* appears as Counsel in support of the Petition.

Messrs. *Baker and Company* appear as Agents.

13 *July* 1894.

The Petition of the WINSFORD DISTRICT LOCAL BOARD:

Mr. *Claude Baggallay* and Mr. *Cecil Wilbraham* appear as Counsel in support of the Petition.

Messrs. *Baker and Company* appear as Agents.

The Petition of TRADERS ON THE RIVER WEAVER AT WINSFORD:

Counsel, Mr. *Claude Baggallay* and Mr. *Cecil Wilbraham.*

Messrs. *Baker and Company* appear as Agents.

The Petition of BRUNNER, MOND, AND COMPANY, LIMITED:

Mr. *Cripps*, Q.C., and Mr. *Whitehead* appear as Counsel in support of the Petition.

Messrs. *Neish* and *Howell* appear as Agents.

The Petition of BOWMAN, THOMPSON, AND COMPANY:

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Neish* and *Howell* appear as Agents.

The Petition of the NORTHWICH CARRYING COMPANY:

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Taylor, Hoare,* and *Pilcher* appear as Agents.

The Petition of the SALT UNION, LIMITED:

Mr. *Littler*, Q.C., and Mr. *Freeman* appear as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

The Petition of the MANCHESTER SHIP CANAL COMPANY (against alterations):

Mr. *Pope*, Q.C., appears as Counsel in support of the Petition.

Messrs. *Sherwood and Company* appear as Agents.

No further appearance until notice.

The Petition of the NORTHWICH TRADERS:

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Taylor, Hoare,* and *Pilcher* appear as Agents.

The Petition of the CHESHIRE COUNTY COUNCIL:

Mr. *Pope*, Q.C., appears as Counsel in support of the Petition.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the MINING ASSOCIATION OF GREAT BRITAIN:

No party appears in support of the Petition.

Mr *Pember.*] I HAVE the honour, with my learned friends Mr. Balfour Browne and Mr. Moon, to appear for the Weaver Trustees on that part of Provisional Order No. 6, dealing with the tolls and charges of the Weaver Navigation. There is a very convenient cartoon on the wall which shows the course of the Weaver so far as it has been improved and made navigable. It is, in fact, that pink line on the cartoon, and, as you see, it stretches from Western Point, which is on the Mersey (or on the Manchester Ship Canal I ought to say now, but was at all events on the Mersey, and is for all practical purposes now), to Winsford. I would ask you to notice that in effect there are only two trading spots of any importance upon the Weaver, one at Winsford and the other at Northwich. If you ever hear the word Winnington used, you may consider for all our purposes that Winnington and Northwich are one. The short point for discussion before your Grace and the Committee will be this: that the Board of Trade have produced a Provisional Order which contains a Schedule of rates, and tolls, and charges, and other matters connected with the navigation, which will have the effect, if the view of the Navigation Trustees is correct, of so reducing their income that they cannot carry on their business,—I do not say to a profit, because they derive no profit from their business, but cannot carry it on, they assert, upon the proper basis, which I will describe to you; they, therefore, ask in effect that the Committee should recur to their own old Schedule of charges, which is in effect

effect that Schedule which they have proposed to the Board of Trade, and which will enable them so to do.

Now, in order to make the position intelligible, I ought just shortly to tell you how the trustees came into existence, and what the course of legislation has been with regard to them. They have had from Parliament a whole string of Acts, beginning with the seventh year of King George I., 1721, and extending to last year, 1893. It occurred to certain gentlemen in Cheshire about the year 1721, that it would be a good thing to make the River Weaver navigable up to a certain point, and they obtained an Act so to do. Three gentlemen came for the Act who were appointed trustees, and they obtained power to scour, and enlarge, and straighten the navigation of the Weaver, and to raise a toll of 1*s.* 3*d.* per ton upon all goods carried between Frodsham Bridge and Winsford or any part of the distance. If anybody is curious in the matter, I will give the section of the Act of 1721, giving that power; it is Section 6. The first thing I will ask you to note is that it is not a mileage toll. If it becomes necessary at any future time to refer to the exact words of the Clause, it shall be done; in the meantime I will ask your Grace to take it from me that it was a power to charge 1*s.* 3*d.* a ton on all goods carried between the extreme points or any part of the distance, and we mention Frodsham Bridge and Winsford as being extreme points, which reminds me that I left something out in describing the navigation. I ought to have said that the river originally entered into the Mersey *viâ* the blue portion, and that Frodsham Bridge therefore was the extreme point at which the labours of the trustees seawards ended; but after a time under an Act, which I will mention to you, they got the power to make an artificial exit into the Mersey, and they carried it out by the Sutton Lock and Weston Marsh Lock to Weston Point; and all that part of the river is absolutely artificial from Frodsham downwards, and goes by the name of the Weston Canal. In the meantime if you look at the Act of 1721, I said they took power to raise a 1*s.* 3*d.* toll on all goods carried under the conditions I mentioned, and I ought to add now that that 1*s.* 3*d.* toll was only to hold good until the expenses of improving the navigation had been defrayed; after that they had power to raise a shilling toll. The first fund that they raised was a sum of 9,000*l.*, which was subscribed by 14 gentlemen of the locality, and which is alluded to in the Act. I ought to mention that the surplus of the tolls was to go in relief practically of the rates of the county of Chester, and in execution of certain works in the county like roads and bridges and such like. Those are to be found in Sections 28, 29, and 30 of the Act. It is worth while just noticing, in the face of a good deal that is said in some of the petitions, that so early as that very first Act of course it was not in the least degree supposed or contemplated that as soon as the expenses of making the navigation were defrayed the tolls should cease altogether; there was only a diminution of the tolls from 1*s.* 3*d.* to 1*s.*, and then, I suppose, that 1*s.* toll, which was obviously the thing to be contemplated, was to go to the benefit of the County of Chester. Therefore, though there was no commercial element in the trustees themselves there was what we may call the beneficiary element, so far as the county of Chester is concerned.

The next Act was an Act of the 32 Geo. II., in the year 1758, when the trust having become a more important affair it was thought that it would be better to be remodelled; and provisions were made for the election of 105 trustees as a body, who all had a certain county qualification; and more extensive powers were given to the trust. By that time the trust had incurred a debt of some 20,500*l.*, and this 20,500*l.* was made a charge upon the tolls. I may add that up to that time, it being obvious that the expenses of the navigation had not been defrayed, as there was a debt of 20,000*l.*, 1*s.* 3*d.* had been charged on salt. By a section of the Act that I am now alluding to, namely, the Act of 1759, the rates on certain articles were reduced, or provision was made for their reduction, after the following year, 1760, and there was only to be a shilling maximum. So far as I know that shilling maximum has not been interfered with, at all events to any serious extent, from that day to this. There was also provision that the waterway was to be 4½ feet in depth; and that application of the surplus rates for the benefit of the county of Chester was continued. I may add that there was no surplus of rates after the works and maintenance were provided for, and the 20,000*l.* which I have mentioned was repaid, until the year 1778, when I believe a sum of 1,500*l.* was paid over into the county exchequer; and from 1787 till the year 1807 there was a substantial surplus which was yearly paid over to the county, and which I believe averaged something over 4,000*l.* a year. These two Acts of Parliament which I have mentioned to you only refer of course to the river and the navigation as naturally understood as far as Frodsham Bridge. I suppose it was not necessary to do anything below Frodsham Bridge, or it had not been thought necessary when their powers were first taken; but during the interval which we have now bridged over it was found that there were certain difficulties in the navigation below Frodsham Bridge; and I daresay that those difficulties were emphasised by the difficulties above, and it was thought that the lower part of the river should be on a par with the upper part—what was to be done was carefully considered; I assume there were engineering difficulties in the way of doing anything to the river at its then present outlet. Perhaps it was thought advisable also not to stop the navigation by carrying on any serious engineering works upon that bit. At all events, whatever may have been the motive, that new artificial cut which I told you of, from Frodsham downwards to the Mersey to Weston Point, was made under the name of the Weston Canal, and that formed the subject of a third Act which was passed in the year 1807. This improvement of the lower bit of the river had been urgently demanded by the salt proprietors and the other traders at Winsford and Northwich, and they had been asked to make a really good navigable cut down to the Mersey. In effect, I believe they had been asked to make this very work down to Weston Point,

Point—and it was done—and an extra toll was agreed to by all parties of 2*d.* per ton on salt, and other goods until 22,000*l.* should have been provided for this particular work. There was a further provision in that Act that the minimum depth of the new canal—that is, the Weston Canal—should be seven feet, and that the locks should be 18 feet wide and seven feet deep. They had an Act in 1826 which I may treat as irrelevant. They had an Act in 1829, of which it is enough to say that it was principally a consolidation Act. They had another Act of 1842 (no doubt a very meritorious piece of legislation) to enable them to build three churches, and we may treat that as irrelevant.

Then we come to an important Act, the Act of 1886. That Act contained power, and in fact it was passed mainly for the purpose of adapting the river and the Weston Canal to steam and other sea-going ships—(the very title of the Act is to that effect); and there, for the very first time, their borrowing powers came to a very serious amount. By Section 6 of the Act, they took power to raise 200,000*l.*, and also powers were taken to levy a toll upon that lower portion which I call the Weston Canal, which had been hitherto free. The reason for making that toll on the Weston Canal I will give you presently. Their borrowing powers were further increased by 50,000*l.* in an Act which was passed six years afterwards, namely in the year 1872; and by that Act, or the Act of 1866—for I can hardly charge my memory which it was—the interest of the county in the surplus tolls was limited to 15,000*l.* a year; in other words they were no longer to pay over anything to the county. It was thought, perhaps, that this great alteration in the capacity of the weaver might bring about an enormous increase of trade, but that there must be some limit to the beneficiary interest in the county, and it was limited to 15,000*l.* a year; it being obvious that after the 15,000*l.* was paid, all the extra receipts of the trustees would go in diminution of the rates. There was a renewal of the direction to pay the surplus to the county up to that amount in the Act of 1872; which fact rather leads me to think that the direction not to pay over more than 15,000*l.* had been contained in the earlier Act of 1866, and I think it was so.

Then there was an Act of 1877, by which they were allowed to borrow 150,000*l.* more; and there was this proviso with regard to the 150,000*l.*, which is worth consideration: that half of the money to be borrowed under that Act, that is 75,000*l.*, was distinctly directed to be spent between Winsford and Northwich, Winsford being the furthest inland. By that time one can see that a certain amount of divergence of interests had occurred between Winsford and Northwich, that they were rival seats of the great salt industry, and Winsford being further up the river was jealous of running the risk of Northwich getting all the expenditure, which was being made below the river, for its benefit, and jealous of the interest of Northwich being exerted for that purpose Northwich, I daresay, was then jealous, as it has since shown itself to be, of the fact that Winsford being further up the stream paid no more for dues on salt than Northwich, which was two or three miles lower down. I may perhaps say that the whole distance from Weston Point to Winsford, including the Weston Canal, is about 20 miles. The last Act which was passed was an Act in which I had the honour to be Counsel for the Promoters, for the purpose of making two new swing bridges at Northwich. I will tell you exactly how it came about. I have no doubt it is well known to your Grace that the subsidences in the salt district of Cheshire of the surfaces of the land have been very serious indeed; very serious destruction of property, both agricultural and urban, has taken place both at Winsford and Northwich, and their immediate neighbourhoods. One great difficulty that the trustees have had to deal with is the maintenance of the navigation in spite of these subsidences, and especially in the maintenance of the bridges which are carried over the navigation. The bridge at Northwich has sunk repeatedly during the last two generations, and has had to be raised, and raised at very considerable expense, until at last, in 1893, the trustees felt that they must deal with it under two aspects: first of all they must deal with it with a view to prevent the recurrence of the nuisance; and, secondly, they must deal with it with a view of making it perfectly certain that anything of the sort, or any bridge that they put over the stream, should not interfere with the fair passage of boats and ships up the river as far as Winsford, so that the interest of Winsford might not suffer from artificial or natural causes. They therefore came for a most ingenious scheme for making two swing bridges, which were to be made upon this principle: the bridges were, in fact, floating bridges, and the piers of the bridges consisted of caissons which were water borne, to a very considerable extent, and full of water, so that the bridge would rise as the caisson fell—it could also be opened; and in consequence of this arrangement about the water, the whole weight of the bridge, which was very great, really only represented a weight of 10 tons; so that the bridge could be swung open with the greatest possible ease, so as to let the trade up and down. The consequence of that was, that however the bridge might sink, it would never form an impediment to the river traffic. Then the road traffic had to be considered, for there is a considerable amount of road traffic along the high road through Northwich, which is the road from a great part of Cheshire to Chester itself; and as you see, it carries the high road right from Nutsford to Chester. In order that that traffic might be interfered with as little as possible by the opening of the bridge, there was a second swing bridge, and an arrangement of signals showing to anybody coming towards Northwich which bridge was open and which bridge was shut, and he might take his journey by one road or the other, according to circumstances. I enlarge upon that, because I want to show how necessary it is that nothing should be done to interfere with the present state of things with regard to the traffic on the Weaver, and the trade at Winsford and Northwich, which has sprung up upon this basis and this understanding, that so far as transit charges go, it is no advantage to the persons who are digging or pumping for salt or brine at Northwich, and two or three miles down the river, as compared with Winsford,

where

where their competitors in trade are found. As my learned friend points out to me, you will see that the making of these two swing bridges is the last act we have done in improving the river for the inhabitants of the upper portion, say at Winsford, so as to put them on equal terms as near as possible with their competitors in trade in Nortwich, for whose benefit the lower portion of the river had been already largely improved. The river has been enormously improved,—it has been widened and deepened 10 ft. throughout. I forget the size of the locks, but they are very large; in fact if it were not for a kind of parental interest that I take in another well-known navigation I should say from Winsford to Weston Point is the finest ship navigation in the kingdom. That cartoon shows it. You see the Trent and Mersey, the Leeds and Liverpool, the Aire and Calder and the Weaver, and the only one that is not there to compare with it and which is superior, is the Manchester Ship Canal. This an important matter, and it will bear on a good deal that you will hear,—that a large amount of the work done in spite of the large amount that has been borrowed, has been paid for out of revenue; the rest of course has been done with borrowed money raised on terminable annuities according to the provisions of various Acts. At the present time the aggregate annuities amount to about 280,000*l.*, and the annual payment in respect of those annuities by way of interest is 6,200*l.*, but the improvements that have been carried out from time to time on the Weaver have been nearer 500,000*l.* than 400,000*l.* So this is quite clear, that so far from the trustees having starved the river in any way to pay money over to the county of Chester, though that has been done a great many years, yet as a matter of fact the revenues have been so managed that they have borne a good deal of what in any commercial undertaking would have been capital burden; I say there has been no commercial element in the trustees though there has been that fiduciary interest for the benefit of the county of Chester which I have explained. Since 1889, however, there has been no payment whatever made to the county, the reason being, first of all, that for improvements of the river the trustees have incurred a temporary debt to the bankers of about 30,000*l.*; and also as you will hear, the receipts have been falling off, especially upon salt. I think I have already explained that there has never been a mileage toll upon the Weaver, but only a gross toll. I ought to add that the traffic is almost entirely domestic to the river itself. There is a spot called Anderton Lift, just below Northwich, where there is a provision made for raising the traffic, and sinking it, of course, in the same way, between the Weaver and the Trent and Mersey Canal, which approaches it at that point, but the amount of traffic done there compared to the general traffic of the river is very small. The main bulk of the traffic consists of salt and alkali, and the alkali (principally from the works of the well-known firm or joint-stock company of Messrs. Brunner, Mond, and Company), as you see from a glance at the map, arises at the two points I have mentioned, Winsford and Winnington; the little outside traffic of which I have spoken comes from the Potteries, but is not of much account. That fact is important in considering the policy of altering the gross toll into a mileage toll, and also the policy of anything like seriously reducing the income of the trustees. Little or nothing is to be looked to from increase of traffic from without, and, indeed, little or nothing is to be looked for from crease of traffic from within the navigation. Therefore, I think you will be of opinion, before the case leaves the Committee, that there is little or nothing to be looked for from a reduction of tolls, or from any alteration in the character of the tolls regarded as a stimulus given to trade. I put the question of the beneficial interest of the county out of sight altogether now; they have not had anything for the last five years, and the only reason I have mentioned it as shortly as I have is to show that a good deal of the allegation which I find in one or two petitions as a matter of prejudice as to the county having derived a great benefit from this system is no fair matter of prejudice at all, because the trustees were bound to apply their surplus tolls in payment to the county; but, putting that aside now altogether, and merely regarding the state of things which has come into existence since 1889, since the county have had nothing, it is obvious the trustees must have a sufficient income (when I say must, of course there is no absolute necessity). I think it was some French king who said there was not any necessity that we should any of us live, but if the thing is to go on it is obvious that the trustees must have a sufficient income, first for the maintenance of the canal and all the expenses connected with its management and maintenance. Secondly, they must have enough for the repayment of the terminable annuities and their interest—that means, of course, any sinking fund which may exist for that purpose. And thirdly, unless the navigation is from this moment absolutely to stagnate, and unless no further improvement is to be contemplated, there must be a certain margin of income and consequent charge which will enable them in the future to carry out a reasonable amount of new works and a reasonable number of improvements. Under the first head, take our present expenditure. It is represented to me that I may fairly put our present expenditure under the first head, namely, the maintenance of the canal and all the expenses of one kind and another connected with its maintenance and management, rates and taxes, and all the rest of it, at about 24,000*l.* a year. The second head, the service of the loans, I have already told you is 16,200*l.* As regards the third head, expenditure on new works and various improvements, we take an average of three years past, and we find it is about 3,660*l.* The 3,660*l.* represents the average interest and other expenses connected with capital expenditure from year to year. Those three items (which seem to me to be absolutely inseparable from carrying on the business of a canal and conferring upon the public the benefit of a canal as an institution) amount to 43,860*l.*, say 44,000*l.* a year, and unless the utility of this institution is absolutely to cease or to stagnate, that 44,000*l.* must be found. I may go further and say any serious diminution would bring about a condition of something like insolvency. I know of no reason for supposing that you could reduce the 24,000*l.* a year

a year. You might stop all further increase under the head of new works and improvements, but you certainly cannot reduce the 16,200*l.* a year for interest. Therefore if you make any serious reduction in consequence of which that 44,000*l.* cannot be found, you get to the point that the canal cannot be carried on. Since 1884 there has been a very serious shrinkage of the salt traffic. As the figures were originally given to me when I made my Notes, and I do not know that there has been any serious alteration in them since; the revenue from the salt traffic has sunk during the last decade, practically from 1884 to 1893, from 54,800*l.* odd to 31,000*l.* That arises from probably two circumstances: first, a competition in the salt trade has sprung up at Fleetwood and Middlesborough, and also foreign competition has increased a good deal. I am not so absolutely certain that something may not be laid to the account of the Salt Union who determined on a contraction of the output with the view of raising the price, but into the policy of action of the Salt Union, even if it has been of that character, of course we need not go here, but I have a strong suspicion that that accounts for something. As the shrinkage in the white salt traffic has been what I have described, so has the shrinkage of the rock salt traffic; that is a very much smaller affair. The rock-salt has shrunk from near 3,500*l.* to something between 600*l.* and 700*l.* There has been a certain increase, no doubt (and in its way an important increase), in the alkali traffic from Northwich, and especially from Messrs. Brunner, Mond, and Company; but unfortunately, even that increase in the alkali has been balanced by an almost total annihilation of the coal traffic. You have before you rather a useful diagram, which is to say the least of it as intelligible as most diagrams, which shows what the rise and fall in the white salt traffic has been You will see attached to the chart which has been placed before you, what is called "Schedule showing tonnage and revenue from white salt, rock salt, coal, goods, and chemicals from 1866 to 1894, inclusive." You will see in that Schedule there is a gradual rise from 1866 up to 1881; the climax is 1881, the large figures being four or five years before and after 1881; but since 1886 there has been a gradual decrease in white salt from 950,000 tons to 567,000, and a proportionate decrease of revenue from rock salt in the same way; the revenue in the same years has fallen; the revenue from coal, of course, has fallen very seriously indeed; coal has fallen from 3,467*l.* in money, and 138,662 in tonnage in 1884; to 23,737 tonnage, and 593*l.* in money in 1894. In the year 1893 the tonnage was 25,853, and 646*l.* in money. I mentioned that the revenue on goods and chemicals had risen, but the receipts are not so good this year as they were last, which is to be accounted for perhaps by Messrs. Brunner, Mond, and Company having been only able to pay 37 per cent. instead of 100 per cent. the year before. Now, if you turn to the chart it explains itself. You see how white salt culminated in 1881, and dropped to its present point in 1894—considerably below what it was in 1886. Then you see how, what I said about goods and chemicals is borne out, the revenue on goods and chemicals has risen to a certain extent, culminating in 1893 though, to no very great extent, dropping again in 1894; but the rock salt keeps fairly stationary through the whole period covered by the chart. Coal has gone down from 5,000*l.* in 1866 to 593*l.* in 1894.

Sir *Richard Paget.*] What is the reason for the fall in coal?

Mr. *Balfour Browne.*] I suppose it is carried by railway.

Mr. *Pember.*] There has been a very serious rise in value in chemicals since the year 1885. In the year 1885 the tonnage was 85,992; it is now 222,281, nearly three times; but that is because the creation of the unfortunate company I mentioned dates from since that time. Let me show you another chart which shows the fluctuations of the revenue taken apart (*handing it in*). There you will see how the revenue ran up from 43,000*l.* in 1866, to 65,000*l.* in 1881, and how it has dropped to between 39,000*l.* and 38,000*l.* in the year 1893, and, as my learned friend Mr. Balfour Browne points out, you see the loss of revenue has been nearly altogether in white salt, because we may take it there was comparatively very little alkali revenue before 1881. In spite of all the rise in chemicals since, we have been tumbling down till we get to between 39,000*l.* and 38,000*l.* in 1893. Now, I think these facts and figures I have given you establish this pretty clearly, that unless the trust is absolutely to stand still as to improvements or to become bankrupt, which is another way of standing still, the tolls ought rather to be raised than lowered. At present 1*s.* is charged on the salt, and we only charge 8*d.* on the chemicals, and we cannot help thinking that the toll on alkail might well be raised, considering its value. In fact, as soon as this Board of Trade Schedule came out, we felt so completely ought everybody to understand the position, and so necessary was it for us to do something to give assurance to persons from whom we borrowed money, that we absolutely gave notice that our tolls should be raised within our maximum power. This produced a tremendous to do at Winsford and Northwich, and upon the representations of the Board of Trade we withdrew the notice, leaving the whole thing to be settled by a Committee of Parliament. Now, not only have the Board of Trade reduced us to a most serious point, but we are met by demands from Northwich and Winsford to carry the reduction still further. Some ask for a reduced gross toll; some ask for a mileage toll; but they are demands by the granting of which the trust would either become paralysed or insolvent, probably both. Before I deal with these demands and with the Board of Trade proposals, one word is necessary about this Weston toll. I told you that some years after they obtained their Act for the purpose of making the Weston Canal the trustees were content to leave the old gross tolls for the use of the navigation, or any part thereof between Winsford and Frodsham Bridge, practically to be the only tolls that they levied; and in effect, therefore, no tolls were in terms applicable or were specifically levied for the use of that bit of the navigation which is involved

involved in the artificial cut from Frodsham to the sea. But in 1866, or very shortly afterwards, a proposal came up which indeed was carried out, to draw brine from the brine-producing districts, say at Northwich and Winsford, or elsewhere, for the matter of that,—but to draw brine from the brine-producing districts down to a point on this Weston Canal, and to establish salt works there, and that was done,—the object being, of course, to get the salt to the sea toll free, because inasmuch as there was no toll on the Weaver which would technically apply to the Weston Canal any gentleman who established a salt works there, if he could only get his brine down there, escaped all tonnage dues charged for salt on the Weaver Navigation. That, of course, would have been a very disastrous thing to the navigation and its revenues; certainly to the county or Chester as beneficiaries in the surplus tolls, and, thirdly, it would have been extremely disastrous to all the competitors in trade, with any such gentleman, whether at Northwich or Winsford; and, lastly, it would have had this extremely disastrous effect upon the county, apart from the question of the surplus toll. A county could afford to stand the damage which might be done on the one hand by operations carried out by undertakings in their county on account of the benefit conferred on the other hand; for instance, take the subsidences in a coal district; the county bears that, because not only are the royalties paid on coal to the benefit of the landowners who own the land under which the coal is wrought, but an enormous industry springs up all over that part of the county, and the damage done is returned tenfold to a large population, the collieries are rated, and all the rest of it; but if you can take the coal out of the county of Gloucester or out of the county of Durham, and deposit it on the seaboard without creating a corresponding industry in the counties of Gloucester or Durham, you do them very great damage indeed. For all these reasons it was felt that something must be done to put a check upon this; the consequence was that the trustees came to Parliament in 1872, and asked for a shilling toll on the Weston Canal, irrespective of distance, in the same way as they had got their shilling toll on the Weaver Navigation. Parliament thought as a matter of degree that a shilling toll for that comparatively short distance was too large, but they gave them a sixpenny toll, and so practically put an end to the mischief. I may add that this sort of protection has been given to the salt districts of Cheshire in a long string of Acts, which it would be worth while for me to call your attention to shortly; I have a list of them here. There was an Act passed so early as 1776, the Trent and Mersey Canal Act, in which there was a Section which enacted that the canal company should not sink for or get any brine or rock salt out of lands taken under the Act for making the canal, nor carry or convey in pipes, and so on, any brine for the manufacture of salt on any such lands. A similar clause was inserted in a later Act of the same undertaking, the Trent and Mersey, in the first year of King William IV. Then it was felt that similiar brine pipes might be taken along the embankments of railway companies, and along their lines, and accordingly when the Grand Junction Act was passed in the late king's reign, which is now part of the London and North Western, a clause to practically the same effect: that they should not carry brine pipes along their line was passed. Later on, when the London and North Western was incorporated in 1846 by the amalgamation of several companies, amongst others the Grand Junction, there was a perpetuation of that injunction. Again, when the West Cheshire Railway Act was passed in 1861, there was a similar clause inserted, and again in 1865 the West Cheshire had another Act, in which it was also inserted. In 1884, which is the first I recollect, the London and North Western Company tried to get a clause to modify the section in the Grand Junction Act which they inherited, but the proposal was opposed on behalf of the salt industries of Cheshire. I had the honour of appearing for them, and the clause which would have released the London and North Western from the restriction was refused. Not only has that been done in the Cheshire salt districts, but some years ago, in 1852, an Act was obtained to make a canal from Droitwich to join the Worcester and Birmingham Canal, and a similar clause was inserted there. And so late as 1890 a Bill was introduced into Parliament which gives a less indirect illustration of this sort of feeling of Parliament than anything I have yet told you; it was called the Widnes Brine Supply Bill, and there was a distinct attempt by that Bill to carry brine from the brine-producing districts along the county of Chester, across the Mersey by a bridge above Runcorn to Widnes, the great seat of the alkali manufacture in Lancashire. I had the honour of opposing that Bill, and we put the very same case that I am now outlining to you: that that would be most injurious, first of all, to the Weaver Trustees, who were the great carriers of salt; secondly, to the county of Chester; and thirdly, to the salt-makers at Northwich and Winsford, and the local authorities too, who said, We shall lose our rates arising from the establishment of salt works away from us.

Of course there would be a subsidence as there always is, and the result would be to give that subsidence to Cheshire with all its concomitant disadvantages without any corresponding benefit arising from the new industry in the county, the employment of the population, and the increase of the rateable value in consequence of the establishment of works. Parliament felt it right to reject that Bill. The reason why I have told you all this is to show you how a proposal of anythiug like a mileage toll of a ½*d.* or a 1*d.* per mile would tell on that short Weston Canal. It is obvious, in a minor degree, that damage which has been done by the brine pipe of 1866 might be multiplied ten or twenty times over if they had to go down to Weston by getting rid of the Weston Canal toll.

The very last instance of any such legislation was two years ago, when my learned friend, Mr. Pope, and I did our best for the Lancashire, Derbyshire, and East Coast Railway, which was projected to pass from Warrington through the salt district of Cheshire to the east coast. There once more the promoters had to admit a clause preventing

preventing them carrying brine along their line.

Chairman.] What was that line. East of the pink line?

Mr. *Pember.*] Yes. That is the brine pipe, the existence of which in 1866 brought about the clause in 1872, putting a 6*d.* toll on the Weston Canal. Of course the damage was done, so far as Cheshire is concerned, to the extent of which that pipe is capable, but the check to the increase of the malady was given by the 6*d.* toll of 1872.

Sir *Richard Paget.*] How far does the 6*d.* toll run?

Mr. *Pember.*] To so much of the navigation as is represented by the artificial cut; the rest of the navigation got the toll of a shilling, so that now there is no part of the navigation without toll. The 1*s.* 6*d.* is not cumulative. A man who sends salt from Winsford or Northwich does not pay a shilling plus sixpence; the only thing is that a man sending salt from Frodsham down to the sea cannot send his salt for less than sixpence, if the trustees choose to charge him as much.

Chairman.] The brine-pipe brings the brine down to Northwich?

Mr. *Pember.*] No, the other way. The brine-producing districts are Northwich and Winsford, Winnington being part of Northwich; you may take it that there is a certain amount of salt made at Middlewich, but it goes, if by canal, by the Trent and Mersey, and not by the Weaver. Middlewich is also on the London and North Western Railway, which takes away its salt, but the quantity of manufactured salt at Middlewich is small compared with that of Northwich and Winsford.

Chairman.] How is the brine-pipe worked?

Mr. *Pember.*] You see the words "Pumping station." There they pump the brine; does your Lordship know how they pump the brine?

Chairman.] No.

Mr. *Pember.*] I will tell you. The salt deposits of Cheshire have been formed, no doubt, in countless ages by the evaporation of inland seas or lakes. There must have been at some early geological period a depression of the land in consequence of the land losing water, and gradual evaporation has been going on, like in the Dead Sea from the same cause, and large beds of salt formed at the bottom of the water. It always had one bed of salt on the top, and that has dropped also, I suppose. After a very considerable lapse of time, upon the sedimentary deposit known as the cupar marl, which is practically impervious to water, there was a second subsidence, and the same process went on again, and on the top of that there has been another marl bed eventually thrown, so that there is a basin in Cheshire consisting of two storeys of an impervious bottom, with the first deposit of salt, and practically an impervious layer of marl on top of it, and another salt formation, and marl once more on top of that, and with a very great thickness of rock-salt between each layer of marl. The basin being thus full to the lips in early times, the salt showed itself, and the rainfall getting in has gradually washed away the salt at the outcrop, and at last that salt, so melted, has found its way down by springs to the Weaver. The consequence of that has been that at a certain part of the Weaver you have the curious phenomena of a river which is salt above its tidal reaches; at all events there is no doubt that the Weaver was, for a long time, the natural outlet for that brine to the sea. In early times the rock-salt was excavated by mining. The Romans excavated the salt in the ordinary way, leaving pillars for the salt and superincumbent masses.

Sir *Richard Paget.*] How deep?

Mr. *Pember.*] One hundred and thirty feet down to the first bed of salt,—I think that is the depth,—and then there is a depth of several feet of rock salt, and then a greater depth of marl, and then there are piers down below to the second bed; it has been pierced in certain places, and the result of the artificial working in the upper bed of rock salt has been to create cavities, these cavities have filled with water, and, of course, the water takes up a certain amount of brine. As long as the cavities are undisturbed no subsidences occur; you cannot have a better bottom than water. But people, after a time, began to find out that this brine was very highly charged with salt. I think water is capable of taking up 26 per cent. of its bulk in salt, holding it in suspension. As soon as people found that out, and found that by proper pumps they could pump up the brine, and by very gentle heat evaporate the water and leave the salt, instead of working the rock-salt mines, which is much more expensive than the pumping, people gave up working the rock salt, and it is very little worked now; but for the making of white salt that we know at the table they rely almost entirely upon brine pumping. Shafts are let down into these enormous cavities, and the brine pumped up. Then as soon as the cavity is empty (I do not know whether they artificially pour water down in Cheshire, but they do elsewhere), and there is room for more water, it naturally percolates through the fissures in the superincumbent stratum, and there goes on an erodation of the pillars of salt supporting the superincumbent masses of earth, and at last you get a time when they cannot support it, and the subsidences take place, which have been of an enormous character all over Cheshire. I believe Combermere now forms a very lovely lake. No doubt Combermere was originally formed by one or more of these large subsidences, and I have read somewhere, either in Leland's History or Ormerod's History of Cheshire, that it is within the memory of man there was a very large addition to Combermere, or else the absolute formation of a lake, in the neighbourhood in the reign of the early Edwards. That surface change which has been going on in antique and historic times goes on now, not, perhaps, to the enormous extent represented by a serious addition to a lake like Combermere, but it goes on at the present moment, and not only do buildings fall in in Northwich and the neighbourhood, but there are certain subsidences of the ground which form lakes, and form them suddenly even now. When we had

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an inquiry under the Cheshire Lands Subsidences Bill the year before last at Northwich, where Mr. Balfour Browne and I both were, and where upon other occasions I have been, speaking of the knowledge I have of this, we were shown pools, and we were taken to Northwich to see subsidences which had happened. I have two or three photographs of one house which shows the sort of thing going on in the town. My learned friend Mr. Moon assures me that one of the first things a Northwich man does when he gets up in the morning is to go down stairs and go out and look at his house to satisfy himself that it will last the day. That is my learned friend Mr. Moon's curious way of putting it. I have told you how brine is made. At the site of the pumping station with reference to this particular pipe it is turned into the pipe, which is at a higher level than Weston Point, and flows by gravitation down the pipe. There has been a lake called Witton-Witton, which was formed at Northwich in the last century, which is 100 acres in extent. All that is only useful to this case as showing the very great damage that is done in Cheshire by this salt industry, and that it wants a certain corresponding industry carried on on the spot to compensate the people for the damage.

Now, you will think I have made a very long exordium upon this matter. I have told your Grace how from the pumping station the brine is sent into this pipe and sent by gravitation down to Weston.

Now, your Grace, our insistence will be this: that our present income must be maintained, and that beyond that we must be able to show a margin of power to charge, or else the public will not go on trusting us with any money that we may want in the future; and, thirdly, we insist that your Grace will kindly bear in mind that the money we have borrowed hitherto will be borrowed on the faith of our present power to charge. We insist that the system of mileage tolls has been adopted by the Board of Trade from that love of uniformity which is praiseworthy up to a point, and the moment it ceases to be praiseworthy becomes very blameable; it has led them to try and tar all the canals in the kingdom, not only with the same brush, but with the same brush with which they had previously tarred the railways. I should have thought it was worth the while of the public to maintain in the greatest possible efficiency the canals which, in connection with the sea, are the only rivals that the railway companies have, and the only rivals that they cannot very well buy out, because Parliament has long since seen the unwisdom of allowing canals to fall into the hands of the railway companies. We further insist that this canal of ours is not like an ordinary canal, as the Leeds and Liverpool, or any other that you may mention, where the business may be said to be dotted along its course. It has practically only these two centres, Northwich and Winsford, and the establishment of a mileage toll properly understood, if the interests of the two towns were fairly considered, must be seriously against that which is further from the sea. All the industries at Winsford have been established on the faith that there was not, and would not be, a mileage toll which would give Northwich two or three miles down the river a great advantage over them. We say that they ought not to be handicapped; there is special reason for not handicapping the Winsford trade, because there is an institution, called the Salt Union, formed on the theory of trying to buy up all the saltworks that it can lay its hands upon with a view of producing a monopoly of the trade. As a matter of fact that has failed, as all these great attempts to create a monopoly do fail, perhaps happily for the world at large. It has failed in the sense of being unable to create an absolute monopoly; but it happens that all the outside traders not in the Salt Union are at Winsford; the Salt Union has works at Northwich and Winsford; they have no competitors at Northwich, there their monopoly is complete. They could do all their work at Northwich, because the amount of brine to be got there is practically unlimited, and if they did that they would be perfectly happy at Northwich with a mileage toll, while the competitors in trade at Winsford, two or three miles up the river, have a much higher gross toll. With a commodity like salt I need not add that a very slight difference of toll turns the contract. We say that kind of handicapping ought not to be encouraged.

Mr. *Littler.*] I may relieve you, so far as the Salt Union is concerned. When I say that providing it is reasonable, we do not object to a gross toll at all, provided always that it is a proper amount.

Mr. *Pember.*] Then between my learned friend and myself the question will be one of reasonableness, and I can only say that it would be unreasonable so to fix the charge that a body of trustees, having no commercial element in them, should not any longer be able to pay their way and make the best of the navigation for the public interest. The consequence of all I have been proposing to you is, and the view of the trustees was at that public inquiry held last year, and they still practically propose the same thing (because the difference in what they propose is so very slight that for me in opening it is not necessary to take any notice of it) to preserve the *status quo.* The inquiry was held last November; there were various counter proposals made, with which I will not trouble you at the moment, and we had, in consequence of the proposals, certain inquiries made, and, as the result, a correspondence with Mr. Pelham of the Board of Trade, and an interview; and after the inquiry was over we were favoured with no less than three separate proposals upon the part of Mr. Pelham and the Board of Trade; and the last one with which we were favoured is that which is embodied in the Bill for confirmation before you.

Now, I think I may say this, premising that, with regard to a few pounds or a hundred pounds, I may be wrong, the general result of the adoption of the Board of Trade figures would be a reduction of our income from the figure at which it stood last year, namely, 43,400*l.*, to something like, in round figures, 37,000*l.* In fact, ours is a comparatively small income, and a reduction of 6,000*l.* a year is, in effect, more than 12 per cent., 13 or 14 per cent. I said, I though with some force to you, when I had the honour

of opening the case of the Bridgewater Canal, that such a serious diminution as that (perhaps rather more serious in the Bridgewater case) was a very serious thing even for a commercial company; but when you come to a company which is not commercial (because removing, as I do, altogether the question of benefit of the county of Cheshire out of this 44,000*l.* which is necessary for it, it does not involve any payment whatever to the county of Cheshire, but involves three things: bridges and roads and maintenance, and management of new works, and so on) a reduction on the income of a thoroughly non-commercial company to such an extent as that to a point where absolutely they cannot go on fulfilling the duties cast upon them by Parliament is a very serious thing indeed. We made our protest to Mr. Pelham, it was very carefully drawn, and I will read it. Our amendments are practically found on pages 1 to 4 of the amendments. The first proposal is on the basis of a gross toll as heretofore, and I think I may say, speaking roughly, that it is a reproduction of our present power of charge. The only difference in income that would be caused by our present proposal of a thousand or two, or something of that kind arises from this, that we propose to apply the ordinary 2,240 lbs. to a ton instead of the somewhat larger ton of 2,300 lbs. odd applied hitherto.

Sir *William Houldsworth.*] The letter "S" in the first column is a mistake.

Mr. *Pember.*] No, it is the gross; 1*s.* for the the whole distance. We propose for all the classes for the whole distance or any part thereof the gross 1*s.* that we are entitled to charge now. You go the whole way from Winsford to Weston for 1*s.*; you go the whole way from Northwich to Weston for 1*s.* We do distinguish the wharfage charge—the Board of Trade were very anxious about that; and so far, as you see, we adopt what they give.

Sir *Richard Paget.*] Is that in addition to your present power of charge?

Mr. *Pember.*] No; we can charge what we like for wharfage. That shall be explained to you.

Sir *William Houldsworth.*] In your alternative on page 3 that is a penny.

Mr. *Pember.*] Yes, that is all right. Then if you turn to the second page you will see that we have a second edition which are the maximum tolls and wharfage charges applicable only to the Weston Canal, and for A. and B. we are ready to take for the whole distance, or any part thereof, 2*d.*, except salt. For salt we preserve the 6*d.* which we are entitled to charge under the Act of 1862, salt being the bulk of our trade; for the other classes we are willing to take 2*d.* The 6*d.* for salt is for the purpose of protection of the county in the various ways I have mentioned against the evils of subsidence.

Now there is an alternative proposal. I understand the love of the Department for the mileage toll, though I do not share in it because I do not think it can be made fair to Winsford and Northwich under all the circumstances. It is not as if the industries there had grown up upon the mileage toll; they have not. On the contrary they have grown up upon the gross toll, which has subsisted there for 170 years; and I do not think you can make a mileage toll fair to them. As a matter of fact, we put in this mileage toll, so as in case the Committee should think that the toll ought to be upon the principle of a mileage toll, in spite of all I urge, our income may still be preserved. If you look there you will see that what we ask in that alternative is a mileage toll of a penny a mile for all classes, just as we ask 1*s.* for all classes in the original amendment.

Sir *Richard Paget.*] What will be the effect of that?

Mr. *Pember.*] The effect will be that we shall charge 1*s.* a ton from Northwich to Frodsham or Weston Point, which is 12 miles, and we shall group Winsford with it in the same way.

Sir *Richard Paget.*] At what rate?

Mr. *Pember.*] A shilling a ton. We are not allowed to charge more by the proviso: "Provided that notwithstanding anything in the above Table the toll for white salt shall not exceed a shilling a ton nor for rock-salt sixpence a ton." You see how it works out. We still say it is impossible to make any difference without terrible injustice to the trade between Northwich and Winsford; so that we are willing to take a mileage toll, if you put a mileage toll upon us, of a penny per mile, which would be a shilling from Northwich to the sea; it would work out at 1*d.* or 2*d.* more probably from Winsford to the sea, it may work out 6*d.* more. It would work out 1*s.* 6*d.* from Winsford to the sea; but we feel that it would be absolutely subversive of the course of trade, and I put in: "Provided notwithstanding anything in the above table the toll for white salt shall not exceed 1*s.* per ton, nor for rock salt 6*d.* per ton." That would have the effect we desire. So far as the Board of Trade are concerned they will tell you what they feel about it; but I understand they would not object to it. The result will be just as if Northwich and Winsford were grouped under the Act and charged the same gross rate; but we stand as a matter of preference, and at what we think best under all the circumstances, to our first substantive proposal, namely to abide by the tolls at present authorised, and to take a gross toll in lieu of the mileage toll, the mileage toll being a novelty so far as this part of the country is concerned, and not being suitable to a navigation the whole of whose business is conducted at two separate places. The income produced would be nearly the same under the two alternatives. The exact figures shall be given you; I believe they are something between 40,000*l.* and 50,000*l* a year in each case, but I will not trust myself to give them, because they may turn out to be wrong by a thousand or so, and I do not wish to run the risk of being wrong. We have got a great number of petitions against the Order.

Chairman.] Under either the gross toll or the mileage rate, according to your amendment, it would produce something like 45,000*l.* or 50,000*l.*

Mr. *Pember.*] Yes, something like our present income—it would secure our present income and give us 2,000*l.* or 3,000*l.* a year, with a view to eventualities in the future. If this navigation is to keep pace with the times and be deepened, widened,

widened, and the locks improved, and the electric light applied here and there as on the Aire and Calder (where they have not only the telegraph but telephones), we want money for these purposes, and we must have a margin. I do not propose to go through Petitions *seriatim*, but one or two I know something about which are more or less typical and which I will call attention to. One is the Petition of the Salt Union and the other is Brunner, Mond, and Company.

Mr. *Claude Baggallay.*] In your Tables you intend the all-over charge to include the Weston Canal charge?

Mr. *Pember.*] Yes, that is so.

Mr. *Claude Baggallay.*] That point will be made clear; the other point is that in either case it will be an all-over charge which will make the charge for salt from Winsford or Northwich the same.

Mr. *Pember.*] That you may take to be so.

Mr. *Claude Baggallay.*] Whatever Table you take, whatever may be the amount of charge, that is another thing.

Mr. *Pember.*] I do not know that we have ever yet been bound to charge the same from Winsford to Northwich; the maximum is the same. I do not know whether it would be wise to put anything in binding us to charge the same; as a matter of fact we always have, and I conclude we always shall do so.

Mr. *Claude Baggallay.*] Then we do not quite agree.

Mr. *Pember.*] The first allegation that I will read is on page 2 of the Salt Union's Petition. They say they are "the largest traders on the navigation, and contribute at the present time about 60 per cent. of the revenue derived from tolls. The Cheshire works of your Petitioners, the canal traffic to and from which is carried by the navigation, are situated at Winsford, Northwich, Middlewich, Sandbach, and Weston Point. The largest of the said works are at Winsford, on the navigation. By Clause 2 of the Bill it is proposed to confirm the Order in the Schedule annexed to the Bill, and to enact that all the provisions of the Order therein contained shall, from and after the passing of the Bill, have full validity and effect. By the general sections of the said Schedule, which are divided in Parts I., II., and III., applicable to all the canals to which the Schedule applies, and by the special sections applicable only to the navigation, certain general conditions are proposed, to which, or to some of which as hereinafter more particularly mentioned, your petitioners object, as injuriously affecting your petitioners and their business. By Table A. the proposed maximum tolls and wharfage charges specially applicable to the navigation are set out. Your petitioners' salt traffic, which is included in Class B., is excepted from the said table of rates, and it is proposed in lieu thereof that the charge for salt shall be 0·60*d.* per ton per mile for any part of the distance, and for wharfage charges 1½*d.* per ton, with a maximum for rock salt of 6*d.* per ton, and for white salt 9½*d.* per ton for any distance. In the case of rock salt the said proposal would increase the present actual toll, inasmuch as at present rock salt is carried at 6*d.* per 2,600 lbs., which is just over 5*d.* per ton of 2,240 lbs." But though rock salt may be carried at that price, I do not know that the present powers are limited. There would be no increase of the power, but on the contrary a great diminution in the power if the rock salt rate in the Schedule is adopted. It may be that we carry at 6*d.* a ton, and it may be that we allow 2,600 lbs. for a ton of rock salt, and it works out at 3*d.* for 2,400 lbs., but *non constat* we could not raise it to a considerable extent; if necessary we should. But they point out for us, and illustrate very well the fact that, absolutely, the maximum power proposed for rock salt by the Board of Trade is less than our present charge, we not being a commercial undertaking.

Chairman.] Do you mean that the Schedule of the Board of Trade is less than your present maximum power?

Mr. *Pember.* Not only less than that but less than our present actual charge.

Mr. *Littler.*] That is not so.

Mr. *Pember.*] I am wrong; it is not less than the actual charge, but it is far below our maximum power. Then they object "to the said Table A. being made applicable to the navigation, and to the tolls and charges therein proposed to be enacted for merchandise traffic under the various classes therein mentioned, and they also object to the exceptional mode of dealing with the traffic of your Petitioners proposed by the said Table A." Then they say "The navigation has practically been constructed, maintained, and improved out of tolls derived from salt traffic, which up to a few years ago contributed about 86 per cent. of the total tolls of the navigation. But latterly, owing to the discovery in England of salt at Middlesbrough and other places near the coast, and to the operation of foreign tariff laws, and especially of German competition, the salt traffic has considerably declined, and is much less profitable to your Petitioners and other salt manufacturers, and contributes a smaller proportion than previously to the revenues of the navigation." I daresay that is true. "Notwithstanding these facts the trustees of the navigation have always charged the full maximum toll authorised by their Acts for the carriage of salt, while they have carried at a less toll other traffic of much greater market value falling under the same maximum toll, and have in that way favoured those other commodities of greater value at the expense of the salt traffic. Your Petitioners respectfully submit that the maximum tolls and charges should be fixed for all traffic, having regard to the nature of the traffic and the value of the merchandise carried, and the proposed table of tolls and charges fails to give effect to that principle." That means in other words to say we are not satisfied to see Messrs. Brunner, Mond, and Company charged the same as we are, or charged 8*d.* while we are charged 8*d.*; and we insist, as a matter of fact, that Brunner, Mond, and Company should be charged, if they make alkalis, a much higher price than we are. The answer is, we cannot put up the alkali rate beyond a certain point; the reduction of the salt rate to anything like what is spoken of in their Petition would

would lead to the absolute destruction of the income of the company.

Lord *Clifford of Chudleigh.*] What class do the alkali goods come under?

Mr. *Pember.*] Class C. Then they say: The proposed toll on salt is higher than has been sanctioned on other navigations. For example, in the Aire and Calder Navigation, which is a company canal, the maximum for salt is 0·50*d.* per ton per mile, as compared with 0·60*d.* on the navigation, which is a public trust. In like manner salt is proposed to be charged at a higher proportional maximum than other traffic of much higher value. For example, the Aire and Calder maximum, as above stated, is 0·50*d.* for salt, and for alkali 0·85*d.* On the navigation it is proposed by the said Table A. that alkali should be fixed at 0·70*d.*, compared with 0·60*d.* for salt." I do not know the conditions of the Aire and Calder, or what led them to be content, if they were content, or what led the Committee who sat last year to fix their rates in the way they were fixed. Of course they carry a mixed traffic—that I do know; and they carry all sorts of goods, minerals, and merchandise; whereas, though we carry alkali to some extent, as the Salt Union say, the bulk of our traffic is the salt traffic, and always must be, and it may have been well worth the while of the Aire and Calder to submit, if they submit it, with a good grace.

Mr. *Littler.*] They did not.

Mr. *Pember.*] If they opposed, it may have been considered on the part of the Committee that it was well worth the while of the Committee to force them to accede to the tonnage on salt, considering the multiplicity of their traffic, which is one that we could not submit to with a good grace, because it takes away all our income. My learned friend Mr. Balfour Browne points out that they do not do for their money what we do. Look at the Weaver Lock, drawn to scale, compared with an ordinary canal lock, in the first place, and even a lock on the Aire and Calder. Moreover, the lead upon the Aire and Calder is a very much longer lead than ours—they have 33 miles of navigation against our 16 miles at the utmost.

Mr. *Littler.*] Then they have a lower toll for it.

Mr. *Pember.*] We may postpone taking the case of the opponents until you have done me the honour of hearing me out. Then they allege "that the Schedule and Order depart from the principles previously sanctioned in the case of other canals, in the following important particulars.

> (1.) A higher toll has been fixed for articles in Class B. than for articles in Class A., although it has been decided, as a general principle in the case of the typical Schedules, that the same maximum toll should be fixed for articles in Classes A. and B.;
>
> (2.) The tolls for Class B. are proportionately higher, and those for Class C. proportionately lower, than in the case of the Schedules hitherto approved by Parliament;
>
> (3.) Salt is treated less favourably than other articles in Class B., as it is excepted from the lower mileage rate which applies after the first 10 miles."

On that I simply say they will urge it before you in the ordinary way; but, as a matter of fact, I am not concerned in defending the Schedule of the Board of Trade, because I disagree with it, not for the same reasons as my learned friend, but so far as I do disagree with it I am not bound to go into its details.

Chairman.] You do not agree with the Schedule of the Board of Trade?

Mr. *Pember.*] No. Therefore I will not waste my time or your own in the discussion of that particular paragraph 11. Then they go on to say that, "In regard to the first of these departures from principle, your Petitioners desire to point out that in most Canal Acts salt is treated as favourably as, or more favourably than, articles now included in Class A., and, therefore, your Petitioners submit that the tolls for salt (Class B.) should be as low as the toll for Class A. articles. In regard to the second departure from principle, your Petitioners submit that if excessive tolls paid by them in the past cannot be considered as entitling them to special consideration in the future, neither should the low tolls paid by other classes of traffic in the past entitle such traffic to special consideration in the future, at the expense of your Petitioners. In regard to the third departure from principle, your Petitioners submit that if an all-round toll be not adopted the only fair method is to adopt the ordinary mileage scheme in its entirety, and without limitation, so that the benefit of geographical position afforded to others shall not be denied to your Petitioners. Your Petitioners, for the reasons above-mentioned, respectfully submit that the proposed tolls and charges should be altered, and the interests of the trade and business of your Petitioners, and the localities where they carry on such trade in respect of the same, should be safeguarded. Your Petitioners' traffic is proposed to be charged more than it will bear, and the risk of pressing heavily on traffic yielding a small profit margin may, in consequence of the more favoured competition of foreign countries, result in the loss of the export salt trade to this country." The answer is that the charges that we propose to make do not involve any extra burden on the salt industry of Cheshire. Whatever they are, they are the tolls that they have been in the habit of paying and submitting to for the greater part of two centuries, ever since 1721. "Your Petitioners further submit that provision should be made in the Bill that no toll should be chargeable for crossing the navigation from the works of your Petitioners on one side of the navigation to works on the other side, or for the use of the navigation between the works of your Petitioners when a lock is not passed through. And it should also be provided that no charge should be made on return journeys to the works light, for bags or barrels carried by a bye-trader for the purpose of being filled at his works." That is a matter of detail connected with their own particular case which I will not discuss with them. What I may consent to I do not know at the present

present moment. Then they submit that "the general conditions should be amended to provide that rock salt should be carried as at present at 2,600 lbs. to the ton." Then the rest is mere generality.

I said I would call your attention to Messrs. Brunner, Mond, and Company's petition. They say in paragraph 3 on page 2: "The maximum tolls which it is proposed shall be chargeable in respect of merchandise comprised in Classes C. to 5 inclusive using the navigation are such as would enable the trustee to increase considerably the actual tolls at present paid by your petitioners." The answer I should make is so are the maximum charges which we are at present authorised to charge, because we do not increase them; instead of charging the maximum, we only charge them 8*d.* at present. Of course, there is the same difference between 8*d.* and a 1*s.*, but no more from 1894 onwards as there was between 8*d.* and 1*s.* between the years 1721 to 1894. There is no change in their position, therefore. "A very large quantity of Class C. traffic belonging to your Petitioners passes upon the navigation, and the amount paid for tolls by your petitioners in respect of such traffic is in their view amply sufficient payment for the accommodation provided." I have no doubt it is ample provision, and no doubt they think it a great deal too much, and they would like it taken for nothing, and considering the extremely impoverished condition of Messrs. Brunner, Mond, and Company, one does not wonder that they want to get as low a charge as possible. One hundred and seventeen per cent. is a very small dividend, and when it is watered down to 37 per cent. in the following year it does not come to much more than 65 per cent. for the two years. Then they say, "Your petitioners have expended upwards of a million pounds sterling in connection with their works upon the navigation upon the faith of the existing tolls not being raised." Now, I must be excused for saying that that must be an inaccurate statement of fact. How could they possibly know, in the year 1880 or thereabouts, before even their works were begun, that the rates we were charging at that time would never be increased? If we were charging, or were likely to charge, 8*d.*, our maximum being 1*s.*, how could they possibly know we should never under any circumstances raise the 8*d.*? How could it have been, therefore, on the faith of our never raising our 8*d.* to our possible shilling, that they came there? That was not the reason why they came. They came because their manufacture of alkali depended upon a very large use of salt or brine, or both—I believe especially brine, in consequence of the particular process they have; and they came there because they wanted to get close to the raw material used in their manufacture. That is why they came; not upon the faith that we charged, or were likely to charge, the particular 8*d.*, because they could not say what we should charge them. They did not come upon the faith of our never raising the actual toll which did not exist until we began to charge it to them, until they came close to the raw material so largely used in their manufacture. Then they say: "The principle which has been adopted in framing the tolls proposed by the Order for Class A. and for Class B. traffic on the navigation is to reduce the quantum of the mileage toll on goods traversing distances beyond 10 miles to one-half of the mileage toll which the said traffic has incurred in respect of the first 10 miles of its transit. In fixing the toll for the traffic in Class C. and the higher classes this principle has not been consistently followed, the mileage toll fixed for the latter portion of the transit being only 28 per cent. less than the mileage toll applicable to the first 10 miles, instead of being reduced by 50 per cent. No diminution to the revenues of the trustees would have resulted from the extension to Class C. of the principle instituted in regard to Class A. and Class B. Your Petitioners humbly allege that their rights and interests will be injuriously affected by the Class C. tolls proposed to be authorised by the Schedule to the Bill." In effect they go into the flaws of the Table, and find out in the Board of Trade Schedule flaws which I only am too pleased to find exist, because I do not like the Board of Trade Schedule; therefore I will not trouble myself to defend it. Then they say that it has been their practice, with the concurrence of the trustees, to pass traffic from one side of the navigation to the other. My learned friend says I need not trouble myself about the points in paragraph 6, because he has no amendment.

Now with regard to the petition of Messrs. Brunner, Mond, and Company, I am quite ready to believe that Brunner, Mond are a great deal too lightly treated.

Mr. *Littler.*] I am going to try to prove that.

Mr. *Pember.*] Therefore, when Brunner, Mond, and Company on the one hand are crying and pining with their small dividend as to the amount of the transit charges made to them, there are other gentlemen who are not troubled with the same class of poverty, because they do not divide more than 4 or 5 per cent. They think Messrs. Brunner, Mond, and Company ought to pay a great deal more; and, in fact, you will find a good deal through this Inquiry of protest, and the old saying of Shakespeare's, "From North to South: Austria and France shoot in each other's mouth," will be carried out in this. Then they object to "any alteration in the Order at the instance of the trustees, and reserve their right to be heard against any such alterations as may be proposed to the Bill and Order, so far as they relate to the navigation."

I do not propose to read any more of the Petitions. I have read those two as typical Petitions raising a good many points. The attitude of the other Petitioners will be very well explained by the amendments that they propose to you, and with which I will deal when they are moved. My learned friend Mr. Whitehead has already shown me a few examples, at the same there are allegations in the Petitions which do not take the shape of amendments moved afterwards, therefore I might be working dead horses. He stopped me before I had administered many lashes. My present business is rather with the Board of Trade. I mentioned just now that we had made a protest to the Board of Trade and had a correspondence

with the Board of Trade. You notice I said nothing more except that there were two or three proposals—and the first one was the one in the Bill. The reason why I stopped was that it suddenly flashed across me that I had seen on the outside of the correspondence the word "confidential." Therefore I did not choose to go any more into the matter until I had leave from Mr. Pelham to do so, and Mr. Pelham says, though he holds that what he said to us was confidential and would rather I did not therefore say anything about it or the intermediate pro-proposals, and I will not, it is clear that the letter we sent to him is still our own property, because I might really make it part of my own speech, and he does not mind my reading it.

Mr. *Littler.*] As we cannot know the whole of the communications as representing the opponents, we had better not hear anything of it.

Chairman.] No doubt Mr. Pember can translate it.

Mr. *Pember.*] Not reading the letter from the Weaver Trustees to the Board of Trade, and giving no date whatever, but wishing you to understand that these remarks spring spontaneously to my mind, allow me to say that the trustees note with alarm that there is a proposal to recommend Parliament that the tolls shall be on a mileage basis instead of that of a gross toll which has appertained on the navigation ever since its commencement over 170 years ago. and on the faith of which traders have erected works at the upper part of the navigation where accommodation has been provided for workpeople, tradesmen have established their businesses and the whole trade of the navigation has been carried on. By such a change the town of Winsford especially, which is at the highest point of the navigation, would be placed at a very great disadvantage to other places such as Northwich and Winnington, which are situated lower down. The traders of Winsford would also be seriously affected, and to none does this more especially apply than to the Salt Union Limited, who are not only the largest traders there but although they have works at Northwich ship no less than three-fourths of their tonnage from Winsford. There are besides the Salt Union several other salt manufacturers at Winsford who have purchased property and established works there during the last few years on the basis of a gross toll, and who having no works lower down the river would consequently be seriously prejudiced in competition with the Salt Union, who are the sole manufacturers of salt at Northwich, if a mileage toll was adopted. The trustees are firmly convinced that a mileage toll will prove to be highly detrimental to the interests and revenue of the navigation, by giving traders an incentive to move their works to the lowest point thereon. In illustration of this, it may be mentioned that the Salt Union already have works on the Runcorn and Weston Canal adjacent to both the Runcorn and Weston Docks, which works, instead of obtaining their brine in in the immediate locality, are supplied therewith through a brine pipe which has been laid through the intervening properties from Northwich, and it is understood that Messrs. Brunner, Mond and Company have a right to a portion of that brine supply to the extent of many thousand gallons a year. There is nothing whatever to prevent these works being enlarged to any extent, and the salt and chemical industries being thus practically transferred from Northwich and Winsford to Weston. The injustice that such a removal of trade would cause will be manifest when the peculiar conditions of the salt trade are taken into account. The pumping of brine for the manufacture of salt dissolves and takes away the rock salt from underneath the property in the neighbourhood of the brine shaft, which necessarily causes subsidence, and leads to the destruction of all buildings, &c., on the surface,—the only compensation for which is the employment of labour in the district, and the general trade in connection therewith. If the manufacture is removed to a distance, the property will be destroyed as at present, and tradesmen and others who have embarked their capital therein will be ruined. The yearly output of these Weston Works is 80,000 tons of salt, which finds an outlet mainly along the Runcorn and Weston Canal, and through the Runcorn Docks, because Parliament, in the Weaver Act of 1886, imposed a toll of 6*d.* per ton on all salt carried on the Weston Canal in order to discourage the erection of works on that canal (which works would be supplied through a brine pipe, as these Weston Works now are), and thus protect the interests of property-owners and others in and around Northwich and Winsford. The tonnage of salt that went down the navigation and was shipped from the Weston Docks in 1893 (as per statement E.), was 65,000 tons, giving at 1*s.* per ton a revenue of 3,250*l.*, but if the proposal of a mileage toll be adopted this salt would be made at the Weston Works, and sent thence along the Weston Canal to the Weston Docks at a toll of ½*d.* per ton, giving 135*l.* only, or a consequent loss of revenue of over 3,100*l.* a year. The trustees are greatly surprised to find that although this navigation is larger in width, and greater in depth, than any other canal, and as exceptionally large locks with hydraulic machinery, and a permanent staff at each to work the same, and that all the swing bridges on the navigation are worked by regular employés, all of which entails a heavy annual expenditure not incurred by other navigations, yet the maximum tolls proposed in each of the classes are less than any of those sanctioned in the case of the five canal already dealt with by Parliament. So completely has Parliament felt the importance of that difference in the class of work, that it has absolutely passed a Bill exempting the Manchester Ship Canal from the operation of Clause 24 of the Canal Traffic Act, 1888, altogether. "Further than this, the proposed tolls, worked out on the basis of 1893 traffic, on which the Commission heard evidence, show that the revenue to be derived therefrom will be less than that which almost all the objection to the Schedule were willing should be given." I need not follow the notes with which I am refreshing my memory much further, because they would only induce me to repeat what I have already said about the inability of the trustees, if this reduction of their income were made, to go on with the duties which Parliament has imposed upon them,

them, and which they are at present carrying on. I must just emphasise what I said about the necessity of taking care of our creditor by saying that the insurance companies who have already lent money to the trustees did so on a full statement of the then surplus revenue of the trust, combined with a knowledge that the trustees had the power to charge up to the full existing maximum of 1*s.* as authorised by our Acts. All this was done when the loans were negotiated, and they were negotiated upon that basis, and on the faith of those powers which were then put before the lenders remaining in force. The trustees feel that they are in duty bound to do everything in their power to protect the interests of their creditors, and, therefore, they ask me to submit, and I do submit with great confidence, that no substantial reduction ought to be made in the tolls till the major part of the debt is repaid, and even then there ought to be such an elasticity in our income as to enable us from time to time to spend money on the improvement of this important navigation as we may be advised. We feel that no notice has been taken by the Board of Trade of those two important considerations, namely, the maintenance of the *status quo* as far as income is concerned so far as may be necessary to keep the canal going in its present condition and to pay the interest on our loans; and secondly, to have that elasticity of income which would enable us to carry out new works, from the prosecution of which the negotiation of further loans is absolutely inseparable. What I put before the Committee and what they will have to consider is that which I put at starting. Is it wise of the Committee to assist the Board of Trade or to assist the traders, who would go even further than the Board of Trade, some of them, to paralyse the operations of this important trust?

Mr. *Young.*] Would such works as the swing bridges be included in the 3,660*l.*?

Mr. *Pember.*] No. The 3,660*l.* would represent interest from time to time on the money we borrowed for such purposes as that.

Mr. JOSEPH VERDIN, is called in; and, having been sworn, is Examined, as follows:

Mr. *Balfour Browne.*

5897. You are a Magistrate and Deputy-Lieutenant of the County of Chester, and an Alderman of the County Council?—Yes.

5898. I think you are one of the Weaver Trustees?—I am.

5899. And you are a member of the Finance and Works Committee of that Trust?—That is so.

5900. The Weaver Trustees are 105 in number, and they consist of the principal landowners in the county?—Yes.

5901. Have you, on that body, the representatives of eight of the principal boroughs and towns, and also of the salt trade?—We have.

5902. So it is to some extent representing the municipalities and the trade?—That is so.

5903. Do the trustees give their services gratis?—Yes.

5904. They have no personal interest at all in the Weaver tolls?—None whatever.

5905. Previously to the formation of the Salt Union, which took place in 1888, you yourself were a member of the firm of Joseph Verdin and Sons, who were the largest salt proprietors in the Cheshire salt district?—I was.

5906. And I believe you parted with your works to the Salt Union?—We did.

5907. How long were you engaged in the salt trade?—Personally, about 35 years, previously to the Salt Union being formed.

5908. And you took a very active part in the large business of Messrs. Verdin and Sons?—I did.

5909. Where are the principal salt works in Cheshire situate?—At Winsford and Northwich.

5910. Both those places are upon the banks of the Weaver?—Yes. There are also works at Winsham and Marston. Those places are on the Kent and Mersey Canal.

Mr. *Balfour Browne*—continued.

5911. Marston is shown a little to the north-east or north by north-east of Northwich?—Yes.

5912. Where is Winsham?—Winsham is adjoining it.

5913. Is the salt which is manufactured at those various works sent down the Weaver to Liverpool for export?—It is, to Weston Point.

5914. The works are principally grouped round two centres, one Winsford and the other Northwich?—Yes.

5915. How far is Winsford above Northwich?—Winsford is about seven or eight miles from the works at Northwich.

5916. The works at Northwich being a little further down the canal than the town itself?—Yes.

5917. I think Winnington is about one mile below Northwich?—That is so.

5918. From your own experience, have you the fullest knowledge of the conditions under which the salt trade is worked in these districts?—I have.

5919. Taking the last 10 years, on the average of those 10 years can you tell me how much of the salt has come from Winsford?—About 60 per cent.

5920. The authorised toll on the Weaver has always been in the form of a gross toll?—That is so.

5921. Independent of distance altogether?—Yes.

5922. A certain sum, namely, 1*s.*, whether the traffic uses one portion of the canal or the whole of the canal?—Yes.

5923. Has salt always paid 1*s.* a ton?—Yes.

5924. The salt works have all been built on the banks of the Weaver by the salt proprietors with the knowledge that the toll was 1*s.*?—Yes.

Mr. *Balfour Browne*—continued.

5925. And that you could not charge more?—Yes.

5926. The actual charge and the maximum, so far as salt is concerned are the same?—Yes.

5927. Messrs. Brunner, Mond, and Company's works are situated at Winnington?—Yes.

5928. Below Northwich?—About a mile below.

5929. When they were established was there a certain toll on the river for such goods as coal, pottery, materials and crates existing at that time?—Yes.

5930. What was that?—Eightpence a ton upon crates from Anderton, immediately opposite Messrs. Brunner, Mond, and Company's works to Weston.

5931. Was that taken advantage of by Messrs. Brunner, Mond, and Company?—Certainly it was. It arose in this way. In 1847 the trustees reduced the rates on pottery goods from Anderton to Weston. At this point there is a junction with the Trent and Mersey, and they did it for the purpose of inducing trade to be sent by the Weaver instead of sending it round by Preston Brook down to Runcorn and thence to Liverpool.

5932. There was another possible way of that trade in crates going to Liverpool?—By the Trent and Mersey and by the Bridgewater and out at Runcorn.

5933. In order to induce crates and other matter of that sort to remain upon the Weaver instead of going by the other route you fixed the toll at 8*d.*?—To divert it from the Trent and Mersey.

5934. Messrs. Brunner, Mond, and Company's materials get the advantage of that reduction on those articles other than salt?—Yes.

5935. Namely the 8*d.* a ton?—Yes.

5936. Their goods being in Class C., are they a much more expensive commodity than the salt from which they are produced?—Certainly.

5937. So naturally you would have expected that there should be a higher toll upon chemicals, the manufactured articles, than upon salt?—Yes; but as regards the reduction of toll upon crates and so on, the trustees made the reduction believing they were doing no injustice to the salt proprietors. Up to that time no goods were produced of any kind on the banks of the Weaver except salt. Salt at that time, too, was an expanding trade, and that being the case the trustees felt justified in charging 1*s.* a ton on salt.

5938. At first the amount of chemicals sent was not very large?—Very limited indeed.

5939. It has increased largely of recent years?—Since 1878 a great expansion has taken place.

5940. The amount is shown upon the Table which has been handed in and upon the chart accompanying it?—Yes.

5941. In the present year has your revenue fallen off?—It has.

5942. And in consequence of that falling off of the receipts, have the trustees become indebted to their bankers?—They have.

5943. When you speak of this year you mean up to the 31st of March 1894?—Yes, 1893–94.

5944. Your year is made up to the end of March?—Yes.

Mr. *Balfour Browne*—continued.

5945. And that year has shown a falling off in the receipts?—It has.

5946. Were you, in consequence of that, indebted to your bankers?—Yes, to a considerable extent.

5947. And did you, therefore, in order to meet your liabilities to your creditors, propose to raise the toll upon chemicals and other matters from 8*d.* to 1*s*?—That is so. We have contemplated, several years back, raising the toll upon the goods, but after the Act was passed in 1888, from about which time this great expansion has taken place, it was considered better to defer the matter till we came before a tribunal like this. It was thought better to defer advancing the rate till it came to be considered by the Board of Trade or a Committee of Parliament.

5948. The reason why you propose to advance the tolls this year, since March, is because you owe a debt to your bankers which you are bound to pay off?—Yes; and an illegal debt; we had no power to draw on the bankers, and they had no means of obtaining the money back.

Chairman (to Mr. *Balfour Browne.*)] What does he mean by "an illegal debt"?

Mr. *Balfour Browne.*

5949. The trustees had no Parliamentary authority to borrow money from the bank. (To the *Witness.*) The trustees were probably personally liable?—You as a lawyer would know better than I should.

5950. My learned friend says you are not bound to criminate yourself. However, the debt was properly contracted for the purposes of the Trust, and the bankers have lent the money without proper security, but they ought to be paid back notwithstanding?—Certainly.

5951. That is why you proposed to raise the tolls upon these chemicals to 1*s.*?—Yes.

5952. There was a considerable outcry when you made that proposal, and the traders took you, under the Conciliation Clause, before the Board of Trade?—Yes.

5953. And you promised not to raise the toll pending this inquiry before this Committee?—That is so.

5954. First of all let me ask you this. You knowing both trades very well, what do you think the toll upon these chemicals ought to be?—Taking into consideration the value of the article, I think there ought to be at least as high a charge upon those chemicals as is charged to the Winsford people upon salt. I think the chemicals should be charged at the same rate as what salt is charged at from Winsford, which is eight miles further south, on account of the difference in the value.

5955. These chemicals are a higher class article?—Yes.

5956. They are manufactured largely from salt?—The base of them is salt.

5957. So if the salt were not manufactured into chemicals it would pay 1*s.*?—Yes, it would pay 1*s.* in the shape of salt.

5958. Have the chemical manufacturers upon the banks of the Weaver great advantages compared with the chemical manufacturers at St. Helen's?

Mr. *Balfour Browne*—continued.

St. Helen's?—Yes; they have the brine, which is the base of the chemicals. The chemical manufacturer at St. Helen's has to take the salt from our district, and if it is sent by water he has to pay the Weaver dues, and then he has to pay the canal dues from Widnes on to there. Then again the rate, after the article is manufactured, is higher from St. Helen's than what it is from Winnington to the port of export.

5959. Then the salt proprietors on the Weaver have all these advantages over their rivals at another place?—Yes.

5960. Speaking as one of the trustees, and for the trustees, what do you want this toll for which you are asking the Committee to sanction?—We want the same power as now exists. We have power to charge 1*s.* a ton on goods, and upon salt, in fact, everything except rock salt. Rock salt is a very cheap article, and is subject to great foreign competition. I think I am safe in saying that they do not obtain more than 3*d.* a ton profit. That is why a low toll is charged for it.

Chairman.

5961. You would charge 1*s.* for all goods, including all those valuable articles you have been mentioning?—Yes, according to our present power; that is what we ask for to-day.

Mr. *Balfour Browne.*

5962. If you get the toll you are asking, will it enable you to do these three things; first, to maintain and keep the navigation in proper repair; secondly, to execute such improvements and renewal works as are necessary from time to time; and, thirdly, to pay the instalments of principal and interest on your loans?—Yes, and on the proposed loans as well.

5963. I think below Northwich the navigation is an exceedingly fine one?—The finest in the country, I may say.

5964. Suitable for the largest class of vessels in any inland navigation except the Manchester Ship Canal?—Yes.

5965. The navigation has been improved below Northwich, because you have been charging tolls not only to the people at Northwich but to the people at Winsford?—Yes. The most of the money that has been expended between Northwich and Weston Point has been received from toll-payers at Winsford.

5966. In that way, out of the pockets of the people at Winsford, the navigation below Northwich has been greatly improved?—It has been greatly improved and great facilities to the trade have been afforded.

5967. The part between Winsford and Northwich requires a considerable expenditure of money in order to put it into the same first-class condition as the other part of the navigation?—It will require an expenditure of 59,500*l.*

5968. Say 60,000*l.* Part of that has already been approved by Parliament?—Yes.

5969. What were the swing bridges to cost?—£25,000.

5970. Unless you get tolls to enable you to raise that money, Winsford and the rest of the people above will have to go without the swing

Mr. *Balfour Browne*—continued.

bridges?—If the bridge goes on subsiding as it did before we got the Act, and as it has done since, it will stop the navigation between Northwich and Winsford except for a small class of craft, and that would increase the cost of the transit of goods.

5971. Which would fall upon the traders who go up to or come down from Winsford?—Yes.

5972. Besides the 25,000*l.* for the swing bridges which Parliament has sanctioned, are there other expenditures necessary above Northwich?—Yes; there will be perhaps 14,000*l.* or 15,000*l.* required to be spent upon the river from Newbridge to Winsford; Newbridge is about a mile to the north of Winsford.

5973. Fourteen thousand pounds or 15,000*l.*, you think necessary there?—Yes.

5974. With regard to other matters, what other expenditure have you to go to?—Certain expenses have to be incurred in taking out the old lock. That has formed the principal barrier and obstruction all along to the Winsford trader, preventing him from building vessels of the same capacity as the trader could build them at Northwich. Consequently he has laboured at a great disadvantage. He could only participate in a part of these great advantages which the trustees have given to the traders from Northwich to Weston.

5975. As you have already told us, the Winsford people have been sending, the last 10 years, two-thirds of the salt; therefore they have been paying for the benefit of the people down below them?—Yes.

5976. They have not got the benefit higher up themselves?—No.

5977. Altogether you say the trustees think that a sum of 60,000*l.* ought at once to be expended upon the canal?—Yes; it will take that sum.

Sir *William Houldsworth.*

5978. Does that include the 25,000*l.* on the bridges?—That is what has got to be expended.

Mr. *Balfour Browne.*

5979. Pending this Inquiry you could not possibly have raised the 25,000*l.*?—I think not.

5980. If the tolls which you are asking Parliament to sanction now are sanctioned will you have more than enough to pay your way, and will you have a fair margin to enable you to borrow money?—We should have sufficient, providing there was no further shrinkage. We shall be able to show by figures that there has been a considerable shrinkage from time to time, though there has been considerable expansion in the goods, that is to say, in the chemicals.

5981. The expansion in the goods has not nearly made up for the shrinkage in white salt?—No; we are only receiving 8*d.* on the goods, against 1*s.* on the salt.

5982. The lower part of the Schedule attached to the diagram shows that the shrinkage in coal is nearly equivalent to the expansion in chemicals?—Yes; the shrinkage in coal arose in this way. Formerly there were only a limited number of saltworks that had railway communication, but latterly they have got railway communi-

Mr. *Balfour Browne*—continued.

cation and the coal has gone by railway instead of by water.

5983. The coal has fallen off practically to nothing?—Yes.

5984. Under those circumstances what income do you require in order really to carry on the undertaking in the interests of the trade?—We ought to have not less than 45,000*l.* a-year till the whole of the improvements are completed.

5985. Till the whole of the improvements are completed and until the borrowed money for them is paid off?—Yes.

5986. Because if you borrow 60,000*l.* and all the works are done in two or three years, you will have to go on paying interest upon the 60,000*l.* for a long time?—That is so.

5987. What does the Board of Trade propose to give you in lieu of the 45,000*l.* you say you require?—About 38,000*l.*; that is as it is shown in the Schedule, but it would not give us that result, for this reason. As it stands now there is a charge of 6*d.* a ton down at Weston Point, and that prevents the Salt Union sending their salt on the Weaver from the works that have been referred to situated on the small canal called the Runcorn Weston Canal, and they accordingly send their salt on to Runcorn. But if this 6*d.* was taken away from us, they, as a matter of course, would send their salt to Weston Point, and we should receive a halfpenny a ton on that instead of 1*s.* They have every inducement for that, for this reason. The works are situated on the Trent and Mersey Canal at Marston and Winsham; when the goods arrive at the end of the canal it costs 5*d.* a ton for transhipment in a vessel suitable to go to Liverpool. The small boats traversing the Trent and Mersey Canal are not suitable for the traffic on the Mersey.

5988. With regard to that 6*d.* on the Weston Canal, your desire to have that is no so much for revenue as for protection?—It is not for revenue, it is for protection; and further, that was given to us especially for protection in 1866. It will be necessary for us also to ask for protection with regard to other goods that are manufactured from brine which are conveyed down to the banks of the Weston Canal, such as chemicals, for instance; there is no reason why they should not be charged the same.

5989. The 6*d.* was a part of that long series of legislative Acts by which Parliament has sought to discourage the taking of brine away from the district?—That is so.

5990. What size vessels go upon the Weston Canal as compared with the Runcorn Canal?—A vessel of 500 tons can navigate the Weston Canal, whereas a vessel of only 100 tons can go on the Runcorn and Weston Canal where these works are situated.

5991. So to vessels of 500 tons it would be a tremendous encouragement if the 6*d.* were done away with; large quantities of salt could be shipped in such vessels, escaping your toll?—Yes. And since the Ship Canal has been completed, in consequence of an agreement between the Weaver trustees and the directors of the Ship Canal, they have the right of passing down from that point; that is, Weston Point to Eastham, free; free of the ship and free also on the cargo. So it would act as a double inducement, and if what we ask is not granted I feel certain the navigation would be ruined, because we should lose the whole of our salt toll, something like 30,000*l.* a year, and in addition to that, it would ruin the towns of Winsford and Northwich; it would utterly ruin Winsford.

Mr. *Balfour Browne*—continued.

5992. This 6*d.* toll does not stand upon the ordinary basis of a toll at all, but is really in the nature of a protection?—Yes.

5993. It is often said in this room that if you decrease the tolls you may increase the traffic?—We have not evidence of that with regard to coal, but I gave the reasons for that.

5994. With regard to possible increase, is your traffic really local traffic?—With the exception of about 60,000 tons which is sent up the Anderton Lift, which is an import trade, and it is very important that that trade should be retained, for this reason, vessels that bring pottery goods take away salt from Weston Point, and our traders, if we had not that trade, would have to send on their salt to Runcorn, and pay dues, besides increased cost of freight. Consequently they would lose the trade, and it would be forced upon the Runcorn people, and the manufacturers at Marston and Winsham would be in a better position.

5995. You said they would have to pay dues; to whom?—To the Bridgewater undertaking.

5996. You have told us that the bulk of the salt carried on the Weaver is made at Winsford?—Yes.

5997. Is there a great quantity?—I might mention, with regard to coal, I have made an omission, if there was a mileage charge made we should be liable to a loss of 600*l.* a year upon our coal, small as it is now, for this reason, we only charge 4*d.* a ton from Weston Point to Winsford or Northwich, and if it was a mileage charge the carriers of coal would take advantage of the local tips, that is the tips near to Winsford and Northwich, and consequently they would only pay a halfpenny, and we should be getting on the coal on the Weaver Navigation a halfpenny instead of 4*d.*, as we do now.

5998. That, I understand, you would probably lose. Your total receipts from coal in the year were 646*l* ?—Yes, we should lose about 560*l.* or 570*l.*

5999. A question or two about the mileage toll, do you think that the same gross toll should be given to Winsford and Northwich?—Are you speaking of salt?

6000. I am speaking of salt?—In fact, it ought to be the same for all goods for that matter. I do not see why it should not be so; why they should not all be charged the same. In conveying goods from Winsford to Weston Point or Liverpool, there is a little higher freight from Winsford than from Northwich, and if you have a higher toll to pay as well, it would so handicap the traders that we should ultimately shut Winsford up entirely.

6001. The large proprietors, the Salt Union, have works both at Winsford and at Northwich?—They have.

6002. As a fact could they remove a great portion of their trade from Winsford to Northwich if a mileage toll were put upon the canal?

Mr. *Balfour Browne*—continued.

canal?—Yes, they could. They have certain plant lying still, and they might do that, but they would not go to that trouble if the 6*d.* to Weston was removed; they would remove their plant direct to Weston Point.

6003. We know that large damage is done both at Northwich and at Winsford by reason of subsidence?—That is so.

6004. In consequence of the pumping of brine?—Yes.

6005. At the present time, of course, the rates of these two districts are swelled by the existence of these large works there?—Yes.

6006. Would it be grossly unfair to take away the brine by pumping it to somewhere else, and leave the subsidences all the same, and take away the rates, too?—It would be as great an injustice as it would be possible for any authority to inflict. I do not think any authority acquainted with the district would permit such a thing.

6007. And Parliament has been of the same opinion, as shown by the legislation which my learned friend has mentioned?—Yes. The district have never been able to reap any benefit from what Parliament did in the matter. The Bill was passed, but the pumpers have never paid anything yet in the shape of compensation.

6008. I will come to that immediately; I am speaking of the course of legislation by which Parliament has discouraged taking brine out of the district?—That is so.

6009. With regard to what you were speaking of, two years ago a Bill was passed saying that those pumping brine should be liable to compensate those whose property was injured by the pumping?—Yes.

6010. Up to the present time that has not become effective, because of the difficulty about the districts?—Yes, which should be grouped together.

6011. As I understand, you think the 6*d.* toll would practically have the effect of ruining both Northwich and Winsford?—It would ruin Winsford entirely, paralyse everything in Northwich, and cause more sinking at Northwich than at present exists, for this reason, they would have to pump double the quantity in the Northwich district that they are now pumping to supply the whole of the export trade if made upon the banks of the Weston Canal.

6012. One of my learned friends a little stupidly said, less trade and more pumping; there would be less trade in Northwich and Winsford, but more pumping?—Less pumping at Winsford and less sinking; because nobody would be left to do pumping. But at Northwich there would be more pumping in a smaller area, and consequently the subsidence would be more disastrous to the property.

6013. Have you mentioned the Green's Lock?—No, I did not refer to that, but I can do so now. Green's Lock is a lock communicating with the Runcorn and Weston Canal, that is a small canal connecting two navigations at Weston, where these works which have been referred to are situated. For a few thousand pounds that lock might be removed and give direct access to these works. These parties, that is the Salt Union, are in a position there, without incurring

Mr. *Balfour Browne*—continued.

any extra rate or any extra outlay, to produce three times as much salt as they do now, except the cost of transferring the idle plant that is now at Northwich and Winsford down to Weston.

6014. It would inure to their benefit if that expenditure were made?—It would be to their benefit and to the entire ruin of Winsford and the ruin of the River Weaver Trust.

6015. What you ask is merely tolls sufficient to keep your undertaking going?—Yes.

6016. That is all you want?—Yes. That and to pay all expenses with regard to borrowing and so on.

6017. That is keeping it going?—Yes.

6018. If you began to stop paying interest upon the debt a receiver would be appointed immediately?—Yes.

6019. Under these circumstances you only ask for sufficient to keep your works going, to pay the interest upon the debt, and carry out these 59,000*l.* of necessary improvements?—Yes.

Chairman.

6020. That is to retain your present power?—Yes, to retain our present power. We want additional protection at Weston, for this reason: In 1866 when Parliament granted us power to charge 6*d.* on salt conveyed in the pipe to Weston Point the soda-ash or the ammonia principle was not known in our district; and therefore we should be subject to the same loss if the brine was taken out of our district and chemical works erected upon the banks of the Weston Canal, that is if the chemical works were built there. It was not known in 1866; there was no such thing even in our district as chemical works upon the ammonia process.

6021. I understand that all you ask for is to be left as you are now?—That is a point that the learned Counsel has omitted.

6022. I ask whether according to what Mr. Pember said you do not agree with the Schedules of the Board of Trade, but all you want is to be left as you are at present. Now you say you want something more?—With regard to the 6*d.* on chemicals, if they were produced on the banks of the Weston Canal, and brine was conveyed from Northwich to Weston.

Mr. *Balfour Browne.*

6023. That is not so much a question of revenue as a question of protection?—Yes.

6024. So far as revenue is concerned, what my learned friend Mr. Pember said is correct, that our present toll upon our existing traffic of 1893 would give us enough to carry on our business?—Exactly; and if we have not that protection for our chemicals as well we should get no benefit from it.

6025. That is the same point upon chemicals as you fully explained upon salt?—Yes.

6026. You are not so much asking this for the trustees of to-day as for the trustees' successors?—That is just it.

6027. When you were in Parliament last year there was a motion in the House of Commons as to instructing the Committee to inquire into the reconstitution of the Trust?—That is so.

6028. It was moved in the interests of the trade of the district by Mr. Brunner?—It was.

Mr. *Balfour Browne*—continued.

6029. At that time the trustees pledged themselves to bring in a Bill in the next Session of Parliament, 1895, for the reconstitution of the Trust?—Yes.

6030. Under these circumstances the present constitution of the trust which you have explained will be modified by the Bill of the next Session of Parliament?—That is so.

Chairman.] That is if it passes.

Mr. *Balfour Browne.*

6031. But we are pledged to bring in a Bill; and what you desire to do just now is to leave that new body, or reconstituted body, if it is reconstituted, sufficient money in tolls to carry on their undertaking?—Exactly; that is all we want.

[*The following Table is delivered in*:—]

A.

RIVER WEAVER NAVIGATION.

SCHEDULE ATTACHED TO CHART, showing Tonnage and Revenue from White Salt, Rock Salt, Coal, Goods, and Chemicals, from 1866 to 1894 inclusive.

—	White Salt.		Rock Salt.		Coal.		Goods & Chemicals.	
Year.	*Tons.*	£.	*Tons.*	£.	*Tons.*	£.	*Tons.*	£.
1866	736,775	36,839	48,278	1,207	210,617	5,265	12,730	424
1867	721,423	36,071	50,752	1,269	210,874	5,272	17,250	575
1868	868,679	43,434	49,759	1,244	257,065	6,427	15,734	524
1869	901,566	45,078	58,696	1,467	258,855	6,471	14,911	497
1870	901,158	45,058	67,410	1,685	259,674	6,492	13,543	451
1871	930,551	46,528	82,765	2,069	251,662	6,292	18,965	632
1872	996,381	49,819	91,084	2,277	282,692	7,067	22,881	763
1873	918,068	45,903	95,429	2,386	210,076	5,252	22,181	739
1874	849,234	42,462	99,814	2,495	187,456	4,686	19,642	655
1875	945,539	47,277	100,562	2,514	190,037	4,751	20,156	672
1876	1,015,337	50,767	115,803	2,895	199,446	4,986	19,991	666
1877	1,001,641	50,082	95,657	2,391	181,512	4,538	18,328	611
1878	913,952	45,698	99,268	2,482	168,405	4,210	22,553	752
1879	961,315	48,066	84,582	2,115	173,577	4,339	26,917	897
1880	1,087,214	54,361	88,843	2,221	201,720	5,043	29,188	973
1881	1,160,642	58,032	89,901	2,248	193,509	4,838	33,249	1,108
1882	1,123,786	56,189	95,799	2,395	176,172	4,404	40,202	1,340
1883	966,125	48,306	104,504	2,613	130,900	3,273	66,125	2,207
1884	1,096,658	54,833	121,866	3,047	138,662	3,467	81,937	2,731
1885	1,063,893	53,195	106,250	2,656	126,002	3,150	85,992	2,866
1886	950,082	47,504	101,217	2,531	102,086	2,552	109,863	3,662
1887	973,798	48,690	79,339	1,984	76,492	1,913	115,214	3,841
1888	884,108	44,205	99,752	2,494	45,901	1,148	116,884	3,896
1889	894,968	44,748	111,508	2,788	39,514	988	148,018	4,934
1890	672,874	33,644	79,209	1,980	42,454	1,062	171,139	5,703
1891	706,197	35,310	84,985	2,125	37,562	939	179,748	5,992
1892	639,726	31,986	82,941	2,074	24,649	616	187,825	6,261
1893	620,089	31,004	71,043	1,776	25,853	646	232,668	7,756
1894	567,702	28,385	90,841	2,271	23,737	593	222,281	7,409

Cross-examined by Mr. *Littler.*

6032. You and I are very much at one for once——

Chairman.] We need not go into what will happen if the Bill passes in the next Session of Parliament. It is sufficient to deal with this Session.

Mr. *Balfour Browne.*] Our case is that whoever has this canal, they ought to have enough to pay their way.

Mr. *Littler.*

6032.* I shall not trouble your Grace with next year; it is enough to deal with 1894. (To the *Witness.*) First, as regards Weston Point, is it not the fact that the effect of the present bar-toll at Weston Point is to drive what salt traffic there is off your navigation and in other directions?—Not at all. It does send it off to Runcorn, but if it came to us we should receive a halfpenny instead of 1*s.*

6033. What I ask you is this: Is it not the fact that so far as there are works now at Weston Point, the salt from those works goes either by railway or by the Weston and Runcorn Canal to avoid your sixpenny bar-toll?—It does go by way of Runcorn or by railway.

6034. I will not ask you to draw an inference—I ask the Committee to do that. As regards the bar-toll, as I gather what you propose to do if you get your own way is to keep it for salt, but to abolish it for everything else?—No, quite the reverse. I ask that we should have the bar-toll placed upon chemicals the same as it is upon salt.

6035. That is what you desire?—Yes.

6036. As regards salt, there can be no doubt that in the past salt has practically paid for all the improvements that you have made?—That is so up to within a few years since 1888.

6037. Then, again, salt has in point of fact also paid all the surpluses given over to the county of Chester?—There is nothing else to pay.

6038. Those surpluses have been given over irrespective of the fact that a large debt was outstanding?—When there was nothing but salt of course there was not any debt at all.

6039. There was nothing but salt up to 1888, was there?—I point out that to entice the trade from the Trent Canal we reduced the rate to 8*d.* and certainly obtained a toll upon it.

6040. Irrespective of whence it came, is it not a fact that year after year large sums were paid to the county of Chester, though there were not only outstanding debts but new debts being incurred?—I could not exactly answer that. We borrowed money, I agree with you there, for a specific purpose, to improve the river and make larger locks, and we widened many of the bridges and made new bridges, and we paid the money over to the county; but at the same time we have been paying money for the improvements. We paid back all the money that we borrowed except annuities, and now we are paying those back annually, and hope to have them paid off by 1907, or about that time. It may be 1919.

6041. The bulk in 1907?—Yes.

6042. Is it not the fact that in the 11 years preceding 1888 you had borrowed 85,000*l.*, and you had handed over to the County of Chester as surplus 95,000*l.*?—No; we have merely handed over according to our construction of the Act of Parliament.

Mr. *Littler*—continued.

6043. I do not blame you?—As the accounts that have been presented to us have shown a surplus we have paid it over.

6044. Whatever may be the reason why you did it, as a matter of fact, in the same period that you borrowed 85,000*l.* you handed over surplus profits 95,000*l.*; that is so, is it not, in 11 years?—Yes.

Chairman.

6045. Let there be no misunderstanding; what is your answer?—I say, yes. But if we take the thing as a whole it is this way: we borrowed, as I mentioned, and we have paid over to the county what Mr. Littler said. At the same time we have paid off all our debts except the annuities, which we are paying off now.

Mr. *Littler.*

6046. At the very period when you were handing over what I call a series of surpluses you handed over as surpluses 10,000*l.* more than in the same time you borrowed; that is true, is it not?—We borrowed for a specific purpose.

Chairman.] The question is not for what purpose you borrowed, the question is very simple; did you do so? (To Mr. *Littler.*) Repeat your question.

Mr. *Littler.*

6047. Between 1884 and 1890 did you borrow 85,000*l.*?—We did, on annuities, and by an overdraft on the bank from time to time.

6048. Did you, between 1884 and 1890, pay the county by way of surplus profits 95,000?—Yes, we did that.

Sir *William Houldsworth.*

6049. Then it is not the 11 years you mentioned; it is seven years?—Yes.

6050. 1884 to 1890?—Seven years.

Mr. *Littler.*

6051. Let me ask you another thing. Your present debt is all carrying interest at 4½ per cent., is it not?—It may be so, including the principal and interest.

6052. I do not include the principal and interest, because that is not carrying interest; what is the highest and what is the lowest rate of interest, apart from sinking fund, you pay now?—I think about 4½ per cent.

6053. I thought I was right. The next question that I should just like to ask you is as to the values of the articles which are carried. I am sure I cannot get better information than I can from you. Is it the fact that white salt is worth about 9*s.* a ton?—Yes, it is the average price at the works.

6054. Is it the fact that rock-salt is worth no more than 2*s.* 6*d.*?—About that.

6055. I do not suppose you have worked out this; but I daresay you will agree that a toll such as that proposed by the Board of Trade of 7·80*d.* for 13 miles would make the percentage on the total value of the salt 7·22*d.*?—No, I think not.

6056. The salt costs 9*s.*, and the proposal of the Board of Trade would impose a toll of 7·80*d.*,

Mr. *Littler*—continued.

and that worked out makes a percentage of the value of the articles of 7·22*d.* per cent. for toll alone?—It would depend upon whether you take it from Northwich or where.

6060. Thirteen miles I take, but the sum fixed is for 20 miles; that is what I wish you to understand. My comparison is on 13 miles, and this is a comparative question. Now, alkali is worth, as against the 9*s.* for salt, approximately about 3*l.* 10*s.*?—Yes, about that, taking it on an average. It is not that now.

6061. The toll for 13 miles on the Board of Trade proposal for alkali would be 8·50*d.*—now you will cheque me if I am wrong—it would make the percentage of toll 1·01*d.* per cent.?——

Chairman.] What is white salt according to the Board of Trade?

Mr. *Littler.*

6062. White salt is worth 9*s.*, and would pay, according to the Board of Trade tolls, 7·80*d.*, or 7·22*d.* per cent. of the value of the article; and rock salt is worth 2*s.* 6*d.*; the toll for 13 miles is 6*d.*, or 6·00*d.* per cent. for 20 miles on the whole value of the article. Now, I take you to alkali. In fair times it is worth about 3*l.* 10*s.*; that is a fair price?—Yes.

6063. Three pounds ten shillings per ton the cost of the article; toll, 8·50*d.*; percentage of toll 1·01*d.* per cent.?——

Sir *William Houldsworth.*] In round figures it is 20 per cent., 7 per cent., and 1 per cent.

Mr. *Littler.*

6064. That is so. If you take round figures and take the nearest, it would be 8*d.* for white salt. If alkali were on the same rate as white salt it would pay 5*s.* in proportion to its value?—Yes.

6065. I can give a number of other illustrations, but I will only take one or two; bone-ash is worth 4*l.*; that pays 8·50*d.*, or a percentage of 0·88*d.* I will only give one other one; caustic soda is worth about 8*l.* 10*s.* in ordinary times: toll 8·50*d.*; percentage of toll to value 0·42*d.* Now I will just ask you this: do you know, on any canal or navigation at all in the country, such a tremendous disproportion in the main articles carried?—No, I must admit that; but we are working under very peculiar circumstances. This is a new industry, and we want to encourage this industry, and up to a certain point salt has been able to bear the toll, because it has been an expanding trade; but this new industry which has come in has injured the salt trade by making the ash direct from the brine instead of the salt being sent to Widnes or St. Helen's to make it from, and being sent down as ash to Liverpool or Weston Point, paying 8*d.* instead of the salt which is sent to Widnes and St. Helen's paying 1*s.* That is where the great reduction has come upon us as regards our revenue; and if you take the figures before you, you will find that there has not been such a large reduction in the volume of trade, more especially if you take into account our loss upon the bone which has arisen from the fact of its being delivered cheaper by rail than by water; but I do not think that it would be a wise thing on a short

Mr. *Littler*—continued.

distance like the Weaver, and there also being competition elsewhere; and as the salt trade is developing in Middlesbrough to go to the extreme that you put it here.

6065*. I am not putting anything. I always hope the witness will not draw inferences from me?——

Sir *William Houldsworth.*

6066. What is the proportion of white salt to rock salt as traffic?—It would be about one-sixth, down the Weaver.

6067. The rock salt is a sixth of the total?—Yes; it may be a little more.

Mr. *Littler.*

6068. At Middlesborough the salt manufacturer has no toll to pay, has he?—No; but his great difficulties with his brine more than counteract that.

6069. But he has no toll to pay?—No, because there is no one to pay it to.

6070. Is it not the fact that though the quantity of salt exported from Cheshire has decreased, the quantity exported from the United Kingdom has not decreased?—I do not think it has much.

6071. The fact is rather that the decrease which has taken place has been in the export of salt from Cheshire and through the port of Liverpool?—That is so, principally.

6072. Then anything which in the slightest degree handicaps that trade, you will agree with me, is of most serious importance to it?—Certainly.

6073. Is it not the fact that, taking the ordinary conditions of trade, 1*d.* or 2*d.* a ton will turn the market?—No, it will not do so; 1*d.* or 2*d.* will not turn the market: it may divert trade from one customer to customer, but you must take into consideration the place from which you ship.

6074. If a man can ship from Middlesborough for 2*d.* a ton less than he can from Liverpool it will turn the market?—If the vessel is there; but you must take into consideration where the vessel is; if a vessel has to be brought from Dundee or some other port you must take the extra freight into consideration; the cost of freight would be as much to the east from Middlesborough.

6075. Is not the cost from Middlesborough to the east practically the same as from Liverpool?—Not always.

6076. I said practically?—If the vessel is at Middlesborough you are right; it would go for the same money as from Liverpool.

6077. And vessels do go from Middlesborough?—A very few that go to India.

6078. Are you aware that, so far from there being very few vessels from Middlesborough, up to the first of last month there had been 40,000 tons of salt exported from Middlesborough in this very year in competition with Liverpool?—I was not aware that 40,000 tons of shipping came into Middlesborough, that is, with cargo loaded.

6079. That is not my question. My question is: Are you aware that as much as 40,000 tons of

Mr. *Littler*—continued.

of salt has been exported from Middlesborough in this year to the east in competition with Liverpool?—No; I was not aware that there was that quantity shipped.

6080. As regards Middlesborough again, at Middlesborough the traffic has been of recent institution, and it is growing, is it not?—I suppose it is; but of course I am not acquainted with the facts.

6081. You spoke of the revenue of the Trust during the past year?—Yes.

6082. Is it not the fact that that includes the time of the coal-strike?—It was with regard to 1893–94; yes.

6083. The figures which you gave to his Grace are of an exceptionally bad year for the Trust, are they not?—No; we gave the 1892 to 1893 figures.

6084. I understood 1893–94?—No.

Mr. *Balfour Browne.*] We did say that our revenue fell off in 1894, but the figures are calculated upon 1892–1893.

Mr. *Littler.*

6085. If I remember rightly, that year there was the Watermen's strike?—Yes; but it did not make much difference in the actual traffic; the shipments were deferred.

6086. Can you say what has been the revenue during the months of this year. Of course, you have not got it all made up?—It is a little in excess of last year.

6087. Better than for 1893 or 1892?—Yes; but I do not anticipate that it will continue.

6088. I do not want to prophesy; I will deal with facts at present. It is better this year than in either of the two previous ones?—Yes.

6089. Showing that the disturbances of previous years have died away?—No; it depends upon the rate of freight to India, which is the principal market.

6090. Then it shows that this salt industry is in a position calculated to give some anxiety to those engaged in it?—That has always been the case more or less since salt was made.

6091. I suggest it is more now than less?—It is a bit more so.

6092. I suppose you would not justify taking 8*d.* upon what you speak of as goods, and 1*s.* on salt?—Certainly not.

6093. Do not you think that it seems odd to pay more in proportion on salt?—I express myself in favour of the shilling charge on goods to Northwich against 1*s.* on salt to Winsford.

6094. I want to see what my salt at Northwich would do. Why should salt at Northwich pay as much as goods at Northwich?—You are getting some concession with reference to the rock salt. If we were in a position with regard to our revenue, it is a matter which ought to be considered as to the toll on salt from Northwich against other goods.

Mr. *Littler*—continued

6095. When you speak of concession, is it not the fact that at the present time the toll for rock salt is 6*d.*?—No, actually 5*d.*; it is charged 6*d.* on long weight.

6096. Then where does the concession come in?—The concession comes in in the distance. We make provision for our own very expensive part of the river from Northwich to Winsford.

6097. I am rather stupid; I thought we paid 6*d.* from Winsford for rock salt?—Of course you do if you elect to ship it from there, and we give you seven miles more accommodation for 6*d.* than to Northwich.

6098. When you speak of concession, do you know that in the Table at the present moment you charge us 6*d.* for any distance for rock salt on the long ton?—Yes.

6099. You propose now to charge 6*d.* on the short ton?—That is so.

6100. Is that a concession?—It is a concession in comparison with the distance. We should only charge 6*d.* from Winsford (that is what we propose) in proportion to the goods. You have put certain cases before us as regards relative value one against the other, and it is not possible to see the gauge of things in the way Counsel puts it; but I say this, that I think the 1*s.* ought to be charged, and I hold that on these grounds: that if a vessel with a cargo of chemicals, of the value, say, of 500*l.*, sank through the negligence of any officials in authority under the trust, the probability is that the trust would be liable for the cargo, which is a perishable cargo. If a cargo, under similar circumstances, of salt only worth 100*l.* sunk we should be liable just the same, and it is only fair that we should charge a higher rate for goods than for salt; but at the same time we ought to take the distance into consideration, that is, the salt going 20 miles, whereas the goods to Northwich would only go 13 miles.

6101. You said you made a concession as to rock-salt?—We proposed making a concession on the rock-salt.

6102. Whatever is in the future more than in the past cannot be called a concession, can it?—No, I do not wish to convey it in that way. I mean to say we propose making a concession on rock-salt; that is, charging less on rock-salt on account of the limited profit than what we do upon white salt.

6103. When you speak of concession you do not compare the past with the future?—No.

6104. You are only comparing two figures; but as a matter of fact on rock-salt there would be an increase of 1*d.*?—Yes, about that.

Mr. *Littler.*] I propose to put in a Table, having asked the questions. I will hand one to the Committee and one to the promoters.

(*The following Table is delivered in*:—)

SALT UNION, LIMITED.

PARLIAMENTARY INQUIRY, 1894.

WEAVER NAVIGATION.

STATEMENT showing the Approximate Value at the Works of various Commodities, and the Percentage of the Tolls on such value. (*a.*) On the basis of the Board of Trade proposal. (*b.*) On the basis of the Salt Union proposal, viz., Aire and Calder Typical Schedule (except as regards Rock Salt).

	Approximate Value.	Class.	A.		B.	
			Toll for 13 Miles.	Percentage of Toll.	Toll for 13 Miles.	Percentage of Toll.
	£. s. d.		*d.*		*d.*	
Rock salt - - -	- 2 6	B	6·00	20·00	5·17	17·23
White salt - - -	- 9 -	B	7·80	7·22	6·35	5·88
Flint - - - -	- 10 -	C	8·50	7·08	10·45	8·70
China stone - -	- 13 -	C	8·50	5·44	10·45	6·70
Coal - - - -	- 7 3	A	4·60	5·28	6·35	7·30
China clay - - -	- 13 -	B	6·90	4·41	6·35	4·07
Chert stone - -	1 6 -	C	8·50	2·72	10·45	3·35
Soda crystals (cask) -	1 16 -	C	8·50	1·96	10·45	2·42
„ (bags) -	2 - -	C	8·50	1·77	10·45	2·18
Bricks - - -	3 5 -	C	8·50	1·09	10·45	1·34
Alkali - - -	3 10 -	C	8·50	1·01	10·45	1·24
Bone ash - - -	4 - -	C	8·50	·88	10·45	1·09
Crates of Earthenware	5 10 -	2	8·50	·64	12·25	·93
Bleach - - -	7 12 6	C	8·50	·46	10·45	·57
Caustic soda - -	8 10 -	C	8·50	·42	10·45	·51

Cross-examined by Mr. *Cripps*.

(For Messrs. Brunner, Mond, and Company, Limited.)

6105. You have been giving evidence to-day as one of the trustees of the Weaver Navigation?—I have.

6106. Up to two years ago you were also managing director of the Salt Union?—Up to three years ago.

6107. As I understand the evidence you have given here it is this, that under the proposal of the Board of Trade Messrs. Brunner, Mond, and Co. get an unfair advantage as against the salt industry?—That is so.

Mr. *Cripps*—continued.

6108. First let me draw your attention to the proposal of the Board of Trade upon page 14 of the Bill. At the present time, whatever the reason may be, the fact is that Messrs. Brunner, Mond, and Co. have paid 8*d.* a ton for the last 20 years,

Mr. *Cripps*—continued.

years, ever since they have been here?—Yes, that is so.

6109. And the Schedule of the Board of Trade would maintain that 8*d.*, or be a little higher, 8½*d.*?—I think Mr. Pelham was not acquainted quite with the district.

6110. That is not my question. Would not the Board of Trade proposal maintain the 8*d.* which is now charged, in fact, to Messrs. Brunner, Mond, and Co.?—Yes, I misunderstood your question.

6111. Now let us see how they have dealt with the salt. At the present time you are charged 1*s.* a ton from Winsford for your salt traffic?—Yes.

6112. The Board of Trade proposal reduces the charge to 9½*d.*?—Yes.

6113. Therefore the whole reduction given by the Board of Trade proposal is a reduction in favour of the salt traffic?—Yes.

6114. In the proviso under Table A it says the toll for white salt shall not exceed 9½*d.* per ton; at the present time the charge is 1*s.* on white salt?—Yes.

6115. In effect the Board of Trade do decrease the charge now made from 1*s.* to 9½*d.*?—Yes.

6116. Is not that a very valuable concession, so far as salt is concerned?—If we were in a position to pay our way it would be.

6117. You have paid your way up to the present time upon the salt charge?—Yes.

6118. Do you suggest having paid up to the present time, with a 1*s.* charge you would or not if the charge were reduced from 1*s.* to 9½*d.*?—Previous to the great shrinkage in salt we have had for several years past an exceptional revenue derived from the Manchester Ship Canal during the construction. I am speaking of revenue.

6119. I was not; I was talking of the salt trade; I will deal with the revenue presently; do you say that the salt trade, which is what has to pay for the improvements, will be affected or injured by having it reduced to 9½*d.*?—It will be to their interest, but against the interest of the trust.

6120. You have been dealing, as I put to you at the outset, with a comparison between the charges on salt and the charges to Messrs. Brunner, Mond's works?—Yes.

6121. You would not propose, in the interest of the revenue of the trust to put up the charges against salt?—In excess of the 1*s.*?

6122. Yes?—No.

6123. As regards salt, you think it is essential to maintain, at any rate the existing rate?—Yes, I think it is enough, especially considering the competition within Middlesborough.

6124. With regard to the proportion to value, we know that that is a question which may arise, but what has it to do with the toll taken?—It has to do with it when a vessel at Liverpool was ordered by the servants of the corporation into a certain dock, and she came into collision and sank; it is a great deal to do with having a bill to pay.

6125. Do you suggest as toll-takers that any liability of that kind can possibly arise or ever has arisen?—Yes, it has arisen many years ago. There was a case I remember against the Liverpool Corporation with a vessel that was ordered

Mr. *Cripps*—continued.

into a dock loaded with guano, she grounded on the sill, and the owners raised an action against the corporation, and the question was asked, Is this a case where an official had ordered the vessel in? There was no doubt about it, and it was a question as to the draught of the vessel, and as to the draught of water on the sill. That case I remember very well many years ago.

6126. You are toll-takers. Has any claim ever been made against you as trustees of the Weaver Navigation on the basis of injury done to the vessel?—Not to my knowledge, during the time I have been connected with the trust.

6127. Now explain?—It has been for this reason, that though there have been a number of vessels sunk on the Weaver, there has never been a case shown where a servant of the Weaver has been the cause of it.

6128. It is sufficient that, so far as you are concerned, and so far as your knowledge goes, no such claim has ever been made against the trustees of the Weaver Navigation?—No, but we do not know how soon it may be.

6129. The next point is this; you suggest on the percentages that my learned friend Mr. Littler put to you that the difference in the percentage of value, in reference to charge under the Board of Trade proposal, is greater than under other Schedules passed by this Committee; do you suggest that?—I do not understand you.

6130. I understood my learned friend Mr. Littler to put it to you in this general way; he said on the rock salt the toll charged would be 20 per cent.?—Yes.

6131. Seven per cent. upon white salt, and 1 per cent. upon the alkali goods; do you suggest that that percentage is out of accord with the percentages in all other canal Schedules?—I have not studied all other canal Schedules.

6132. With reference to an answer that you made to my learned friend Mr. Littler, take any typical Schedule, such as the Leeds and Liverpool, and compare the charge upon coal with the charge upon cotton goods; would not you find as great a difference as regard the percentage of toll to value as you do here between goods and salt?—I am not acquainted with the tolls on the Leeds and Liverpool Canal.

6133. A question or two about the revenue of the trust. First of all, I suppose you have seen the income and expenditure, and the financial table for the year 1893–94?—Yes, I have.

6134. The suggestion is that your income from tolls and dock charges has fallen off in that year as against the year 1892–93; the figures show the other way, do they not; have you the accounts before you?—No, not for 1892.

6135. Have you the accounts for 1893-94?—I have not got that.

6136. That is the year in which the suggested falling off is?——

Mr. *Balfour Browne.*] It is not, indeed.

Mr. *Cripps.*

6137. Take the 1893-94 Table?—I have not got it.

6138. These are the River Weaver Accounts of 1893–94?——

Earl of *Lauderdale.*] Prepared by whom?

Mr. *Cripps.*

6139. The Navigation; their own published accounts. I see the income there from tonnage rates and dock charges, less drawbacks, came to 48,411*l.* 6*s.* 8*d.*?—That is so.

6140. And miscellaneous receipts 25,116*l.*?—Yes.

6141. And rents 1,209*l.* 12*s.* 9*d.* I leave out one item, the hire of dredging plant, that was rather an exceptional matter?—Yes, that is part of the exceptional revenue I referred to just now.

6142. Without taking the exact figures, those three heads would come to 49,600*l.*?——

Lord *Clifford of Chudleigh.*] I have a Table here; but I have not the account you read from; that makes the revenue from river tolls, less drawbacks, &c., to be 38,000*l.* odd, not quite 39,000*l.*; you gave it as 48,000*l.* Could you tell me what the other sources of income are?

Mr. *Cripps.*

6143. That would give the revenue for 1893–4 49,600*l.*, taking out the exceptional items for hire of dredging plant?—The hire of dredging plant is 1,444*l.*

6144. Less repairs and depreciation, the figure you carry forward is what I say?—Yes.

6145. Taking out the exceptional items, the income would be 49,600*l.*?—That is so.

Mr. *Cripps.*] I do not know whether your Grace and the Committee have the figures for the year 1892–93?

Lord *Clifford of Chudleigh.*] No; we have only some figures which are not reliable.

Mr. *Balfour Browne.*] They are reliable, but subject to an explanation to be given by the accountant.

Mr. *Cripps.*

6146. They are not reliable as suggested. (To the *Witness.*) Have you got before you the similar figure to the one I have now given the Committee for the year 1892–93?——

Mr. *Balfour Browne.*] £54,384.

Mr. *Cripps.*

5147. Have you got the same figure before you for the year 1892–93?—£47,230, that is from the toll.

6148. Will you give it to his Grace and the Committee for 1892–93. Is it not—tolls net, 43,012*l.*, and rent, 5,494*l.*, which makes about 48,500*l.*; is that the right figure?—No, the total is 56,402*l.*

6149. Is not the difference between the figure I gave of 48,000*l.* and 56,000*l.* the items of exceptional expenditure in connection with the Ship Canal, which is a sum of 7,896*l.*, which we have agreed to exclude?—Yes.

6150. If you compare the two years as regards the net tolls in one year it was over 49,600*l.*, and in the year before, about 48,500*l.*; I want to know why we are told there has been a decreasing traffic in 1893–94, as against 1892–93, can you explain that. Your own account shows that from your

Mr. *Cripps*—continued.

traffic receipts and your tolls you got 1,000*l.* more in 1893–94 than in 1892–93. Have you the account for 1892–93 before you?—Yes, I have.

6151. Is the income there under the head of "Tolls net" 43,012*l.*?—No; 47,230*l.*

6152. I am reading from the Table you put in in the present year before the Board of Trade?——

Mr. *Balfour Browne.*] He is reading from the actual accounts.

Mr. *Cripps.*] Will you give me the actual accounts?

Mr. *Balfour Browne.*] Yes.

Mr. *Cripps.*

6153. It strengthens my case very much if it is larger. (To the *Witness.*) Now tell me this: According to the account my learned friend Mr. Balfour Browne has given me, putting outside the exceptional income from the Manchester Ship Canal, what was your income in the year 1892–93?—We had a gross rental of 56,402*l.* 3*s.* 5*d.*

6154. How much of that was exceptional?—£918 7*s.* 10*d.*

6155. Is that the only item you say was exceptional?—That is the only item that I see here. Then there is another item coming under "Rent and Tolls of Wharves," that would be 2,625*l.*

6156. Can you give me this; what do you say was your normal income from ordinary traffic sources and dock sources in the year 1892–93?—From everything?

6157. No, not the exceptional items; it is no use taking them into account?——

Chairman.

6158. What you give for 1893–94 is 49,600*l.*?—That is so.

6159. Now you have got the account before you for 1892–93, is that so?—Yes.

6160. Compared with 49,600*l.*, taking in all the items that you included in the total of 49,600*l.*, what is the total income for 1892–93?—Taking everything?

6161. I only want you to include the items included in the 49,600*l.*?—It would leave 52,869*l.*

Mr. *Cripps.*

6162. Have you taken out from the 56,402*l.* all items which we call exceptional charges?—I have taken out the rent of docks and wharves 2,625*l.*, hire of dredging plant, 918*l.* 7*s.* 10*d.*

6163. That leaves you as regards 1892–93, with 52,869*l.*?—Yes.

Mr. *Balfour Browne.*] I am going to call the gentleman who prepared all these figures, and he might be able to answer my learned friend.

Mr. *Cripps.*

6164. Mr. Verdin has told us a great deal about it. In the year 1892-93 (I am taking what you tell me about the figures), in addition to paying all the items for repair and maintenance of docks, interest on borrowed money, you repaid the sum of 10,000*l.*?—Yes.

6165. You

Mr. *Cripps*—continued.

6165. You also had a surplus for new works to carry forward of over 2,000*l.*, had you not?—Something like that.

6166. Therefore on the 1892-93 account, taking your own figures, you had a surplus over your requirements of about 12,000*l.* a year?—You are including the amount that was received as exceptional revenue.

6167. No, I am taking your own figure of ordinary revenue; what surplus does that give you in 1892–93 over what I may call under ordinary circumstances the charges which are upon the concern?—£2,273.

6168. In addition to that you paid off 10,000*l.*?—In addition to that we paid 10,000*l.*, but then that formed part of this exceptional revenue.

6169. No, you paid off 10,000*l.* odd capital that year, and you also had 2,000*l.* besides?—I think you are wrong.

6170. Let me come to what you say as regards the Board of Trade; do you say that under the Schedule of Tolls of the Board of Trade your ordinary income would be about 38,000*l.* a year?—Yes, taking existing conditions and existing traffic.

6171. Does that 38,000*l.* include everything, docks and rents, as well as tolls?—No, we should have charges at the docks, but our docks are losers of about 500*l.* to 1,000*l.* a year.

6172. In addition to the 38,000*l.*, what would you have to add to that under the head of docks and rents?—We should have nothing but the rents, and against that we should have a loss on the docks, and a loss of 600*l.* a year in working the lift at Anderton.

6173. These figures which you have been giving to the Committee as gross figures, included not only tolls, but also docks and rents?—Yes.

6174. What would you have to add to the 38,000*l.* in order to make the comparison analogous with the figures of the year?—We should have to deduct——

6175. First, what would you have to add to the 38,000*l.* in order to make it the same figures that we have been dealing with in 1893–4, and 1892–3?—In the first place we should have to add the Weston Canal Toll which would be about 600*l.* a year.

6176. What else would you have to add?—We should have 1,098*l.* 17*s.* 9*d.* for rent.

6177. How much for docks?—We should have a loss on docks.

6178. We will deal with that on the other side, in the figures of 1893-4 and 1892-3; we have included the revenue from the docks?—If you give me credit the other way, well and good.

6179. What have you to add to the 38,000*l.* to make the figures comparable with the figures we have been dealing with before?—We should have to add for the Weston Dock charges 4,869*l.*

6180. And you have to add to the 38,000*l.* 6,567*l.*?—That is including the rents and docks.

6181. That would bring you up to 44,567*l.*?—Yes.

6182. That would be ordinary income, quite apart from outgoings that you would derive from all sources, tolls, or Weston Canal or dock charges or rents?—Yes.

Mr. *Cripps*—continued.

6183. Therefore we should have to deal with an income given you by the Board of Trade of 44,567*l.*?—Yes.

6184. Let us see what the charges would be against that, dealing with your own accounts in the past. Take the year 1892-3; repairs and maintenance in that year were 21,702*l.*? ——

Mr. *Pember.*] 11,000*l.* this year.

Mr. *Cripps.*] I am dealing with 1892-3; under repairs and maintenance we have the general charges, too.

Mr. *Moon.*] You are dealing with a statement put in before the Board of Trade by another gentleman.

Chairman.] If this gentleman says he is wholly incompetent to answer this question, perhaps they had better be put to another witness.

Mr. *Balfour Browne.*] No, my learned friend is dealing with a Table put in by another gentleman. Mr. Verdin has the accounts before him—not the Table my learned friend is speaking to.

Mr. *Cripps.*] Let him tell me from those accounts what the figure was for repairs and maintenance for 1892–93.

Chairman.] He can answer that or not.

Witness.] The expenditure was 11,352*l.*

Mr. *Cripps.*

6185. What was the expenditure for establishment charges?—£9,786.

6186. That included the payments for church and schools, did it?—It included everything.

6187. What was the payment for docks?—£5,906.

6188. What was the interest you paid on borrowed money?—On the annuities, do you mean?

6189. No, on borrowed money, 9,589*l.*, was not it?—No, I have it 9,259*l.* paid as interest on the annuities, and 329*l.* separate on the bonds.

6190. Do all these figures amount on the expenditure side, as against the 44,000*l.*, to just over 37,000*l.*, adding those three figures together?—You have omitted the interest on the annuities.

6191. I will deal with that in a minute. Do all those items which I say are proper items on the expenditure side, come to just over 37,000*l.*?—You have not included all the items.

6192. Will you answer the question. Do they come to over 37,000*l.*?—Yes.

6193. That would leave you as between the 44,567*l.* and the 37,000*l.* a margin up to this point of about 7,500*l.* a year?—No.

6194. I put the figures on one side, 44,567*l.*, and the figures on the other side, 37,000*l.*, does not that leave you a margin up to this point of 7,500*l.*?—Yes.

6195. We have also got to deal with the annuities?—Yes.

6196. The annuities in 1892–3 were 6,932*l.*?—The interest is 9,250*l.* 10*s.* 1*d.*

6197. What did you pay on the annuities in 1892–3?—£6,931 12*s.* 4*d.*

6198. Therefore if we added the annuities, it would

Mr. *Cripps*—continued.

would still leave you with 500*l.* a year in hand?—I cannot work out these figures.

6199. We have 7,500*l.* margin, and we take from that 6,931*l.*, or 6,932*l.*, leaving 500*l.*?—Yes.

6200. These annuities which we have been dealing with last are terminable annuities?—Yes.

6201. And when they run out this charge of 6,932*l.*, or a smaller charge, will come to an end?—When they are paid off, certainly.

6202. When you are paying for the annuities, you are not only paying the interest charge, but a portion of the capital charge each year?—Yes.

6203. You told us that the annuities would begin to run out about 1907?—Yes.

6204. I put it too favourably to you. I see what you call interest on borrowed money is interest calculated both on the annuities, and on what I may call ordinary borrowed money?—I gave you a distinct answer with regard to interest on the bonds, viz., 329*l.*; interest on annuities, 9,259*l.*, and then comes annuities repaid, 6,931*l.*

6205. So this payment of 6,931*l.* or 6,932*l.*, which we have been dealing with under the head of annuities, is purely a payment off capital from year to year, and nothing else?—We are reducing the capital every year.

6206. After you have paid all interest on money, and all expenses of every kind, you have a margin on the Board of Trade figures of 7,500*l.*?—I do not make that out at all.

6207. Can you suggest, on your own figures, where the arithmetic is wrong, or where the fallacy is?—I should have to go into it.

6208. Do not the figures show it?—The way you put it, I admit it.

6209. I take your figures that you have supplied me with, and I applied my arithmetic to them; is not that a very ample margin?—I should like to go into the figures a little more fully.

Cross-examined by Mr. *Claude Baggallay*.

(For the Winsford Local Board, and also for some independent traders at Winsford.)

6210. Are there at present several salt traders at Winsford who are outside the Salt Union?—That is so.

6211. One question with regard to this bar-toll on the Weston Canal; if that bar-toll is removed, do I understand that, in your opinion, it will foster the carriage of brine down to Weston Point by pipe?—Yes.

6212. That is your view?—Yes.

6213. If the brine is taken down to Weston Point, who will it be taken by; is the pipe the pipe of the Salt Union?—Yes.

6214. Do you know what the capacity of that pipe is at present?—It is a 15-inch pipe.

6215. And that is capable, if worked to the full, of taking a very large proportion of the brine produced?—To the extent of what would produce 400,000 tons.

6216. My learned friend asked you just now whether you were connected with the Salt Union at one time?—Yes, I was.

6217. If the tendency is to have the brine

Mr. *Claude Baggallay*—continued.

conveyed by pipe to Weston Point, would not that have a tendency to force all the present independent traders into the Union?—No, I do not think it would; I think it would annihilate them altogether.

6218. It would either force them to go into the Union or it would annihilate them?—The Union would move their plant from the centre of Cheshire to the banks of the Weston Canal.

6219. Are you speaking now from the point of view of the local board, that it would destroy the town of Winsford?—I am answering your question with regard to salt-pumping outside the Union; at the same time it would ruin Winsford entirely.

6220. Would it also have a tendency to carry this brine direct down to Weston Point—to transfer the whole of the salt-making trade down to Weston Point?—For export, yes.

6221. And would that have the effect of, I will not say absolutely destroying, but more or less destroying, the town and district of Winsford?—It would.

6222. At the present time the trade at Winsford is a little handicapped as compared with the trade at Northwich by reason of the longer distance in respect of which freight has to be paid?—A little; it is reduced now almost to a minimum with the assistance of steamers.

6223. The steamers at present are of a smaller class?—From Winsford they are compelled to use smaller steamers than can be used from Northwich.

6224. I believe not only the state of the bridge at Northwich, but also the state of the locks, prevents bigger vessels at present getting up?—One lock. All the locks are completed except the one that wants removing; that is the neck of the bottle.

6225. It is of the very first importance, is it not, to Winsford and the traders of Winsford that the navigation should be improved as proposed from Northwich up to Winsford?—Yes.

6226. You will understand from me that I am not opposing any fair tolls to you, because I am anxious that the navigation should be improved; but I want to know this: under the present Schedule which you propose you are going to increase somewhat the total of your revenue?—Yes, with the idea of raising money to complete the works you have just referred to.

6227. But for that increase would you not be able to complete those works?—Certainly not.

6228. Was that your view when you came to Parliament the year before last?—It was so, but we let the matter stand in abeyance till the matter had gone before the Board of Trade.

6229. I do not remember your saying anything about your not having finances to carry out the works in the event of Parliament granting the works?—We were in a better position then, because we were then receiving this exceptional revenue.

6230. You have told the Committee that hitherto you have always charged what is in the nature of an all-over toll: it really was not an all-over toll, but you have made it an all-over toll by always charging the same toll everywhere?

Mr. *Claude Baggallay*—continued.

where?—It was an all-over toll, but the trustees varied the rate a little; they had to reduce the coal a little from time to time.

6231. I am speaking of salt?—We never reduced the toll on salt.

6232. You have always charged your maximum equally everywhere?—Yes.

6233. But at the same time you had power to charge differently in respect of salt from Northwich from what you charge for salt from Winsford?—We had power to reduce the charge from Northwich as compared with the charge from Winsford.

6234. And on the Schedule as you propose it now you would have power to do that?—I should say so.

6235. At the same time I understand your intention is not to draw any difference between the two, but to quote the same rates for both places?—That is what we propose.

6236. Do you see any objection to your being obliged to charge the same rates from both Winsford and Northwich?—We cannot raise sufficient funds to carry out these desired works from Northwick to Winsford without our having the power.

6237. That may be your present object, but you may have completed your works in a few years. I want to know why should you not be prevented from making any difference in the rate as between Northwich and Winsford. If you reduce it to one, why should not you reduce it to the other?—We should have the power, I should say, as we have to-day, under the new arrangement, to reduce the rate if we wished to do so.

6238. What I want you to answer is this: do you see any reason why, if you reduce the rate on salt from one place, you should not be bound to reduce it on the salt from the other?—If we had revenue sufficient I should say, if we reduce the rate on salt at all, it should apply to both places——

Chairman.] He puts the proviso, if they have got revenue to warrant it.

Mr. *Claude Baggallay.*] Quite so; I agree with that. I am anxious not to deprive the navigation of tolls which would prevent them improving the river. I want them to improve the river up to Winsford. All I want to do is to take care if there is any reduction in respect of salt at Northwich, the reduction should be made at the same time at Winsford.

Cross-examined by Mr. *Lloyd.*

(On behalf of the Northwich Local Board.)

6239. You are very well acquainted with Northwich?—I am.

6240. Is that town entirely dependent on brine pumping?—I may say it is.

6241. Everybody interested in Northwich is interested in some way or other in brine pumping?—Everybody in the town is interested in brine pumping for salt works or chemical purposes.

6242. In your view is it important for the whole town of Northwich that the bar toll upon the Weston Canal should be retained?—It is.

6243. You say that in your view it would be disastrous to the town of Northwich if it were removed?—Yes.

Mr. *Lloyd*—continued.

6244. Are you aware that large sums of money have been spent by the Northwich Local Board in sewage and other matters on behalf of the inhabitants there?—That is so, no doubt. I daresay some representative of the Local Board will be called who will be able to speak to that better than I can.

Re-examined by Mr. *Balfour Browne.*

6245. First of all, with regard to what my learned friend Mr. Baggallay asked you about Winsford, he says he for Winsford is anxious that the navigation should be improved; I understand that is the desire of the trustees?—Yes.

6246. But without the tolls we are seeking improvements cannot take place?—No.

6247. Further than that he is asking the Committee to do a thing which has never been done yet, to fix the actual toll which you are to charge between Winsford and Weston as compared with the actual toll as between Northwich and Weston?——

Mr. *Claude Baggallay.*] No. All I am saying is, whatever toll is charged to the one should be charged to the other.

Mr. *Balfour Browne.*

6248. Apart from our power, I understand it is the intention of the trustees to group those two places together and to charge them the same?—Yes.

6249. So far as the trustees are concerned, they would resent having that put upon them as a clause in the Bill?—Yes.

6250. Two or three questions about the accounts to clear up what my learned friend left doubtful. Have you the 1893–94 accounts before you?—Yes.

6251. First of all with regard to income; one of our propositions was that the income was going down. In 1894 the income from tonnage rates from the river was 43,313*l.*?—Yes.

6252. In the year before it was 47,230*l.*?—Yes.

6253. The income of the Weston Canal in 1894 was 867*l.*, and in the year before, 1893, it was 778*l.*, slightly up?—Yes, very slightly.

6254. Then take the next items altogether. Rents of docks and wharves; the income from those in 1894 was 6,126*l.*, and in 1893 it was 7,494*l.*?—Yes.

6255. That is down by more than 1,300*l.*?—Yes.

6256. With regard to rent, the rent in 1894 was 1,209*l.*, and the rent in 1893 was 1,098; slightly up, 100*l.* up; but taking it all together your income in 1894 had gone down very considerably compared with 1893?—Yes, 7,000*l.*

Lord *Clifford of Chudleigh.*] Are you leaving out the exceptional matters?

Mr. *Balfour Browne.*] No, I will come to that. The only thing I have left out is hire of dredging plant. The real matter to compare is the question of tonnage, and in the tonnage rate upon goods it goes down from 47,000*l.* to 43,000*l.*, or a loss of 4,000*l.*

Chairman]. He gave us the income for 1893–94 as 49,600*l.*

Mr. *Balfour Browne.*] That is first taking one figure of 309*l.* out of the account?

Chairman.] For 1892–93, 48,500*l.* he gave us.

Mr. *Balfour Browne.*

6257. That is an error according to the accounts. (To the *Witness.*) Now let me pass to another matter. Is it the fact that you have not only to pay interest upon the annuities, but each year have to pay off a certain amount?—That is so.

6258. And that paying off a certain amount is a continuing charge?—It is.

6259. My learned friend Mr. Cripps seemed to think that after paying 6,932*l.* the next year you would not have to pay off that. Is it not the fact that the next year after 1893 you had to pay off 7,342*l.*?—Yes, and it continues until the thing is paid off.

6260. In 1907?—Yes.

6261. As against that, is it the fact that during the last five years you have had exceptional receipts in connection with the Ship Canal?—Yes, that is so.

6262. That was for conveying certain materials for construction?—Yes.

6263. Is that traffic ceasing now?—It has ceased entirely. There is a boat hired to them which yields a small amount.

6264. There was for conveyance of materials used upon the canal received in 1893, 7,896*l.*?—Yes.

6265. That is not a continuing source of income at all?—It has ceased altogether.

6266. Taking even my learned friend Mr. Cripps' own statement that you have a margin of 500*l.*, as he put the figure, is a margin of 500*l.* sufficient to let you carry on the undertaking?—Certainly not. If we had no improvements to do we might drag out an existence.

6267. You have got 500*l.* If you have to pay interest upon 60,000*l.*, you will have to borrow?—Yes.

6268. The interest upon that is 3,600*l.*?—Yes.

6269. So that if we have 500*l.* we cannot carry out the improvements to the extent of 3,000*l.* a year?—Exactly.

6270. You have first to borrow money before you can pay any interest upon it?—Yes.

Lord *Clifford of Chudleigh.*] As to the exceptional charges, you only take one of the two years.

Mr. *Balfour Browne.*

6271. I will give them all. (To the *Witness.*) In the exceptional charges you have included in the figures which I have given in the 43,000*l.* in one year and the 47,000*l.* in the other, but I will give the figures. We had Ship Canal traffic in 1894, so far as I see, which is in addition to this Table, it was 4,207*l.*; in 1893, 6,898*l.*; and the year before, 1,782*l.*? ——

Chairman.] According to the statement put in, in 1893 the total was 54,129*l.*, and in 1892 it was 52,149*l.*

Mr. *Balfour Browne.*] That is expenditure.

Chairman.] And the income in 1892 was 54,932*l.*, and the income in 1893 was 56,420*l.*

Mr. *Balfour Browne.*] That is so. But just look at the column earlier. In that 56,000*l.* is included 7,896*l.* which was received from the Manchester Ship Canal traffic.

Chairman.] And 6,000*l.* in the year before?

Mr. *Balfour Browne.*

6272. Yes; but when we get the witness into the box who made the Table we shall be able to supplement it, and show that, including exceptional traffic in 1894, 4,207*l.*, the total income in 1894 is only 49,000*l.*, as against 56,000*l.* (To the *Witness.*) My learned friend Mr. Cripps asked you with regard to the 9½*d.* which the Board of Trade allow instead of the 1*s.* Just to turn that into money, our present receipt from tolls are 31,040*l.*, and the Board of Trade would only enable us to get 23,405*l.*?—That is so.

6273. That shows what the Board of Trade would reduce us to on salt?—Yes.

6274. My learned friend also said that it was a fallacy to compare the value of the articles with regard to toll. Do you know that in every Schedule, Classes 1 to 5 have a higher toll than the Classes A., B., and C.?—That is so; that is on the mileage system.

6275. On any system?—They have adopted a higher charge, because they are more valuable articles.

6276. I understood my learned friend Mr. Littler's question to point to this. The salt district is now in competition largely with Germany and with Middlesborough?—Yes.

6277. They are at present bearing a toll of 1*s.*?—Yes.

6278. He apparently wants the Weaver trustees to reduce the toll in order to let them compete with Middlesborough?—Yes, that is so.

6279. Do you think that that is a fair request, seeing that it would have to be done out of the pockets of the people who lend us the money?—Certainly not.

6280. Comparing these three matters, white salt, rock salt, and alkali, if a proportionate toll were put upon alkali to that put upon white salt, it would come to 5*s.* a ton; it would practically wreck the alkali trade?—Yes, they have some competition from Lancashire.

6281. My learned friend asked one other question which is not unimportant. He said between 1884 and 1890 you borrowed 85,000*l.*, and paid over to the county 95,000*l.*?—Yes.

6282. Let me see if I understand it. The 95,000*l.* which was paid over to the county was surplus on income?—Yes, that is so.

6283. Was the 85,000*l.* expended on new works?—Yes.

6284. Therefore, my learned friend, comparing these two, is mixing up capital with revenue accounts?—That is so.

6285. Is it the fact that in the same time you spent upon new works not only the 85,000*l.*, but 132,000*l.* We paid 47,000*l.* also out of revenue upon new works. If you cannot prove it I will put it to another witness?—For what dates?

6286. Seven years, 1884 to 1890; was the expenditure upon new works in that period, 132,000*l.* all told?—I think you had better get it from the manager of the canal.

(The Witness is directed to withdraw.)

Chairman.] The inquiry has gone rather far into figures. We are all excellent arithmeticians, but we should like to have them before us.

Mr. *Balfour Browne.*] We will have the statement printed and lay it before you the first thing on Tuesday morning.

Mr. *Spicer.*] The only figures we have had differ entirely from the accounts brought before us.

Mr. *Balfour Browne.*] You will find it perfectly intelligible when we put in the gentleman who will explain it.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 8) BILL.

(River Cam, &c.)

Mr. *Pelham.*] I may mention one case, which might relieve the parties from further attendance on it, the case of the River Ouse (in Bill No. 8), in the county of Bedford and the county of Huntingdon. In that case the Promoter, the proprietor, had deposited a Schedule, but he suddenly in the middle of the Inquiry raised the question that a great part of the navigation did not come under the Act of 1888. The Board of Trade undertook to take the opinion of the Law Officers upon that point. Their opinion has only just been received, and it is to the effect that the greater part of the navigation does not come under the Act of 1888; I think, therefore, on the whole, it would be better to withdraw the Schedule, at any rate for this Session.

Ordered, That this Committee be adjourned to Tuesday next, at Eleven o'clock.

Die Martis, 17° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON, K.G.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	Sir RICHARD PAGET.
Lord CLIFFORD OF CHUDLEIGH.	Mr. SPICER.
Lord HAWKESBURY.	Mr. SAMUEL YOUNG.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 6) BILL.

(RIVER LEA, &C.)

RIVER WEAVER NAVIGATION.

Mr. *Claude Baggallay* and Mr. *Cecil Wilbraham* appear as Counsel in support of the Petition of Traders on the River Weaver at Winsford.

MR. CHARLES ARTHUR SANER, is called in; and Examined, as follows:

Mr. *Moon.*

6287. YOU are an Associate Member of the Institute of Civil Engineers?—I am.

6288. And you were, I think, assistant engineer of the River Weaver Navigation from March 1885 to October 1887, and have been resident engineer since 1887, have you not?—Yes.

6289. Have you since 1887 had the sole charge of the river?—I have.

6290. I do not want to take you exhaustively through the history of the Weaver. It was a very small thing to begin with, was it not?—Yes.

6291. It was made navigable in 1721?—Yes; before it was made navigable in 1721 it was quite an insignificant stream, and was tidal about seven miles up from Frodsham. I can show the Committee. I have here a plan showing the stream as it was in 1790 and as it is now (*producing a plan and explaining the same to the Committee*).

6292. The river has been improved from time to time and by degrees, but always by the county of Cheshire or by persons interested generally in the county, and not by persons who have commercial interests in the success of the undertaking?—That is so. They are trustees for the county of Cheshire.

6293. And now is the navigation an entirely artificial navigation from top to bottom?—Yes, there is practically no old river left; the whole of the banks of the river have to be maintained,

Mr. *Moon*—continued.

from Winsford to Weston Point, by means of wattling, piling, and stone walls.

6294. The river has been principally improved since 1867, has it not?—Yes, that was when the large improvements were commenced.

6295. Prior to that it had not been navigable, had it, by steam vessels?—No; steam vessels had just commenced about that period.

6296. What is the navigable depth of the river?—The present navigable depth is 10 feet at ordinary summer level; there have been vessels drawing 11 feet 3 inches getting up as far as Messrs. Brunner's Works at Winsford, but that is an exceptional case.

6297. What is the tonnage of vessels that can navigate the river?—The ordinary tonnage would be 250 to 300 tons; the exceptional tonnage is 320 tons.

6298. What is the size of the locks?—The size of the locks shown upon the cartoon is 220 feet long, 42 feet 6 inches wide, and they have 15 feet of water on the sill. You see there is a difference between the Weaver Lock and the Aire and Calder or any other ordinary canal lock. You see on the cross section the lines are almost in the same proportion.

Sir *William Houldsworth.*

6299. Are all the locks that size up to Northwich?—Yes.

6300. This will give the Committee a better idea of the size of the locks than their dimen-

Sir *William Houldsworth*—continued.

sions would; are the locks capable of holding at the same time four of these vessels of 300 tons?—Yes, that is so.

Chairman.

6301. Are these vessels of 300 tons steamers?—One steamer towing three barges.

Mr. *Moon.*

6302. Are each of the vessels 300 tons, both the steamer and the three barges?—Not necessarily; they vary slightly: the steamer would hold nearly as much as the barges.

6303. Are the works of much greater size than works to be met with in other navigations of the country?—Yes; it goes without saying, the ordinary lock of a canal is something between 70 and 80 feet long and seven feet wide, and probable has four feet six inches of water on the sills, or a little more.

Sir *William Houldsworth.*

6304. We see that between Northwich and Winsford the locks are not so large?—That is so at present. The two locks have been put in by Newbridge Lock; owing to disagreement with the property owners in the vicinity we were unable to raise the water, and the lock has only been partially taken away until arrangements can be come to for raising the water in front of the same property close by the lock; otherwise the whole of the river is ready for the removal of these locks, and then there would be only these four large locks between Weston Point and Winsford.

6305. At present your 300-ton vessels cannot go up to Winsford?—They can go singly, but not in a train of four.

6306. I see a lock marked Hunt's Lock: is that a large lock?—Yes.

6307. Then there is Vale Royal; is that the next lock?—Yes; that is the same size.

6308. And then the Newbridge Lock; that is ready to be enlarged, but it has not actually been enlarged?—It is ready to be taken away entirely when we can raise the water level between Newbridge and Vale Royal; but owing to disagreement with some property owners here, we are unable to do it at present.

6309. Will there be a new lock at Newbridge?—There will be no lock at Newbridge at all.

Mr. *Moon.*

6310. I believe you have made a comparative section showing the area of the waterway of the Weaver Canal and the other canals, such as the Aire and Calder and the Leeds and Liverpool?—Yes, the diagram shows the difference in area between the Weaver, the Aire and Calder, the Leeds and Liverpool, and the Trent and Mersey Canals. To emphasize that, the water area on the sectional area of the Weaver is 780 square feet, whereas the water area of the Trent and Mersey Canal is only 136 square feet, as shown in the diagram.

Sir *William Houldsworth.*

6311. Does the red line indicate anything that we shall have to know about?—It shows that the river would be improved and made navigable as a 15-feet navigation.

6312. It is a prospective improvement?—Yes.

Mr. *Moon.*

6313. The locks have been constructed for 15 feet of water over their sills, have they not?—Yes; they are prepared for a 15-feet navigation, that is to say, the new locks are.

6314. Is the navigation an expensive navigation to maintain?—Decidedly so.

6315. First of all I will ask you, had you a good deal of trouble in dealing with the flood-water of the River Weaver?—Yes, until the new works were completed. The Weaver Valley is constantly subject to heavy floods; in some instances they have been as high as 10 feet at Northwich, and considerable areas of land were under water for some days; there was also some inconvenience caused to the traffic by the vessels not being able to steam against the floods, and also general delay and damage after the locks which were sanctioned and commenced in 1866 and onwards were made; sluices have been put in at great cost, and by means of the sluices the water is let through more rapidly and at a lower level; so that meadows which were constantly under water before the construction of these sluices are now free from flood, and likewise the towns of Northwich and Winsford.

6316. Will you point out the different sluices?—The only sluices of any importance are the Dutton sluices situated near Dutton Lock. Since the construction of these sluices the town of Northwich has been practically free from floods. The highest flood that I remember has been four feet six inches instead of 10 feet. The other sluices are at Hunt's Lock and Vale Royal Lock. There are also sluices at Saltersfield and Sutton.

6317. The Dutton sluices alone cost the navigation 17,000*l.*?—Yes.

6318. Do the floods of which you spoke also bring down a considerable amount of silt and deposit, which has to be dredged out of the navigation, to keep up the waterway?—Yes; the tributaries of the Weaver bring in a very large quantity of silt and deposit down the river, when we have to dredge it out.

6319. I suppose a good deal of the dredging, perhaps more of the dredging takes place above Northwich than below Northwich?—No; at present we have to dredge more immediately below Northwich.

6320. Why is that?—There is a large tributary of the Trent which comes in here, and deposits large quantities of sand opposite Northwich. The sand is deposited immediately below the bridge.

6321. I suppose, however, that if you did not dredge out the deposit which comes from the river above Winsford in the reach between Winsford and Northwich, it would be by degrees carried down, and obstruct the navigation below Northwich?—Yes.

6322. So that the dredging which is done above

Mr. *Moon*—continued.

above Northwich is done just as much for the benefit of the navigation below Northwich as for the navigation above it?—Yes; the whole of the navigation benefit from it.

6323. How much do you dredge in the course of the year?—For maintenance last year between 78,000 and 79,000 tons were dredged.

Chairman.

6324. And what was the cost?—It cost 6½ per ton. I can give the exact cost. The cost was 1,878*l.* in 1893.

6325. Owing to the fact of your having to raise the river level, does that necessitate a costly drainage system in order to keep the surrounding lands clear of water?—Yes; they have raised the water above the normal level; but with regard to the water-level above the level of the surrounding meadows, it necessitates a long length of culvert to take the water down below the weir, so as to get the fall for the drainage. There are five miles of those culverts on the river.

6326. And you have to maintain the culverts?—Yes, to keep them clear of sand and silt.

6327. Are long lengths of the canal protected by the piling or wharf walls, and other works of that kind?—Yes, very nearly the whole length of the river is protected either by piles or walls of one sort or another. I have here a Table of the different lengths.

Chairman—continued.

6328. The witnness gives us 1,800*l.* as the cost of dredging. I see that last year it was 3,000*l.*?—Yes, in 1894 the dredging will be 3,079*l.*; in 1893 it was 1,878*l.*; it varies according to the quantity of material brought down.

Mr. *Moon.*

6329. Does it vary between those two figures; are they average figures?—It has been much greater than that, but I should say that at the present time the 3,000*l.* is the average figure.

6330. Then, in the year 1893, when only 1,878*l.* was spent, was that an exceptional year?—Yes, it was an exceptional year of late years.

6331. You were speaking of the artificial banks on the navigation; you were going to tell the Committee how much was artificial and how much was natural bank; will you do that?—There is only about four miles of natural bank on the two sides of the river, that is two miles of double side. I have a Table showing the exact lengths of the river banks requiring to be maintained, and the different descriptions of piling, and so on.

6332. Will you put that in?

[*The Witness hands in the following Tables:*—]

RIVER WEAVER NAVIGATION.

TABLE showing different Descriptions of Works maintained by the Trustees in addition to the Locks, Weirs and Sluices.

BRIDGES.			
Towing Path and Occupation Roads -	All timber -	Opening - -	16
		Fixed - -	10
	Iron girders with timber floors	Opening - -	6
		Fixed - -	11
Main Road Bridges - - - -	Iron girders timber floor	Opening - -	6
		Fixed - -	2*
		TOTAL - -	51

* These are the Northwich Town and Dane Bridges, heavy structures on constantly subsiding ground.

These Bridges vary in width from 3 ft. to 27 ft., and have a total length of timber flooring of 1,468 yards, and an area of 4,338 square yards.

CULVERT AND DRAINS.

The Culverts maintained by the Trustees measure *five miles* in length and vary in diameter from nine inches to two feet six inches. They include several syphons for conveying the drainage from side to side.

River Weaver Navigation.

Lengths of River Banks to be Maintained and Repaired.

Piling	5,553	Yards.
Wattle Works	26,893	„
High Stone Walls	5,791	„
Dwarf Stone Walls	15,739	„
Pitched Slopes	6,746	„
Wattle Work with Clinker Wall on top	2,658	„
Natural Bank	7,020	„
Total	70,400	„
	or 40 Miles.	

6333. The first of these two Tables shows the bridges you have to keep up?—Yes.

6334. There are 51 bridges?—Yes.

6335. And their dimensions are given in the statement?—Yes.

6336. The culverts and drains you have already spoken of; then the second Table shows the lengths of river bank required to be kept in repair?—Yes, and the description of work required to repair it.

6337. Piling, 5,553 yards?—That piling is strong timber piling for wharves instead of stone piles, and enables vessels to be brought close alongside the quay.

6338. Then wattleworks 26,893 yards, and high stone walls, 5,000 odd yards; dwarf stone walls, 15,000 odd; pitched slopes, 6,000 odd; wattlework, with clinker-wall on top, 2,000 odd, and natural bank, 7,000 odd?—Yes.

Chairman.] You need not go into every minute detail.

Mr. *Moon.*

6339. Having that amount of artificial bank to maintain renders the maintenance of the navigation comparatively more expensive than on other canals where the banks are natural?—Yes. On the Aire and Calder they have several miles of river which is not touched, and on the Severn there are very few places where the banks are protected.

Chairman.] The question is not what other navigations do, but what you are obliged to do to maintain this one.

Mr. *Moon.*

6340. I will not go into much detail. (To the *Witness.*) How are your locks worked?—The larger locks are worked by hydraulic power in the shape of turbines, the water pressure being obtained from the difference in level between the two pounds.

6341. Is that a source of considerable expense?—Yes, because the locks being of such a size, and having this hydraulic machinery, it necessitates trained men to work it; instead of the bargees jumping on shore and opening the gates we have to keep men constantly there who understand how to manipulate the machinery.

6342. What is the cost to you in the wages of these men in the course of the year?—It comes to nearly 3,000*l.*

6343. That deals with the elements which go to make the maintenance of this navigation so costly; and I now ask you to tell the Committee what the cost has been of the construction of the navigation per mile?—Taking the whole cost since 1721 the construction has been 52,700*l.* a mile; but taking the cost since 1866, when the last improvement was commenced, it has amounted to 34,316*l.* per mile.

6344. To go to the question of what improvements are necessary to be made in the river in future, have you considered that?—I have.

6345. And what is your estimate of the expense which would be required to put Winsford in as good a position as Northwich now, as regards navigation?—That was stated by a witness on Friday: it is 59,000*l.*

6346. £25,000 was for swing bridges?—And the remainder is for improvements on Winsford Pound, the removal of locks, and certain other alterations.

Sir *William Houldsworth.*

6347. The Weaver is not navigable above Winsford?—No.

6348. The river comes down there?—The river rises in the north-west corner of Cheshire, and comes down to Winsford.

Mr. *Moon.*

6349. If my learned friend wants the details of that 59,000*l.* no doubt you can give them?—Yes.

Sir *William Houldsworth.*

6350. Would there be any traffic at all above Winsford to induce the trust to extend their operations above Winsford?—Not at present.

6351. There is nothing but agricultural traffic?—No there is nothing but agricultural land there.

6352. I take

Cross-examined by Mr. *Whitehead.*

6352. I take it that this cost of construction of 52,000*l.* a mile, and 34,000*l.* a mile is included in the capital expenditure which has already been discussed before the Committee?—Yes.

6353. You were speaking of some new works which would be made under this capital which you have been authorised to raise, those new works being the swing bridge at Northwich?—Yes.

6354. The removal of the lock above Northwich, and below Winsford?—Yes.

6355. What was the third?—Sundry improvements to the Winsford river.

6356. All these improvements under this new capital would be above Northwich, and would be for the benefit of the Winsford traders?—Yes, it is for the improvement of the Winsford river.

6357. To come to the question of dredging, you said that in 1893 the dredging cost the navigation 1,878*l.*?—Yes.

6358. And in 1894 it cost over 3,000*l.*?—Yes.

6359. I understood you to say that the year 1893 was an exceptionally light year as regards dredging?—Yes.

6360. May I quote to you the words of your own report to the trustees in March 1893: "The total number of tons dredged in maintenance and new works during the 12 months is more than double that for the preceding year"?—More than double in maintenance and new work that is, but the new works are quite a separate thing from the maintenance.

6361. I have your accounts for 1893 before me; you put down in the expenditure the 1,878*l.* expenditure on dredging; does that item include the dredging for the new works?—No.

6362. Where does that appear?—Dredging for new works is in the new works account, the item is not shown there; probably it is in the new works on the other page.

6363. There is nothing said in your new works account about dredging?—It is included in the new works; the majority of the new works dredging is done at Weston Marsh bridge and at Weston Marsh wharves.

6364. And that dredging is the 129,000 tons for new works which I see in your report?—Yes.

6365. How much did the dredging cost in 1892, did not it cost 1,690*l.*?—I believe it did.

6366. £1,900 odd in 1893?—Yes.

6367. And in 1894, 3,000*l.*?—Yes.

6368. What expense is the navigation put to for the provision of water; have they got a natural water supply?—You can hardly put it that way; the expense of the navigation is in getting rid of water, not in obtaining it.

6369. You get your water for nothing?—We get the water for nothing, but the amount it costs to get rid of it is what you have to consider.

6370. So you are rather in a favourable position compared with ordinary canals?—I think it is a well understood thing that a river is not so favourably situated on account of liability to floods which all rivers are subject to. They are not so favourably situated as still water canals on that account.

Mr. *Whitehead*—continued.

6371. You have told us already that that has been provided for by the capital expenditure on certain sluices at Dutton Lock and elsewhere?—Yes, but they require attention.

6372. That is provided for in the capital expenditure?—On works yes, and those sluices require attention; they require a man to look after them, and they require repairing.

6373. What expense do you incur for looking after these sluices; do you have a man at each sluice?—Yes; the lock men are assisted by other men sent down specially. I can give you what the cost was in 1893; sluice drawing cost 105*l.*

6374. Since 1866 you have spent very large sums upon improving the navigation?—Yes, since 1866.

6375. Where has that money been spent; on what part of the navigation?—On the length of the navigation between Weston and Newbridge.

6376. How much of it has been spent between Northwich and Winsford, what proportion of it?—About 105,000*l.*

6377. Out of what total?—£638,000; the length of the river is much shorter between those two points.

6378. That expenditure is of no advantage to the traders at Northwich?—It depends on how they look at it; of course it is a matter of opinion; if they use it, it is an advantage. If they do not use it, I do not see that it is of much advantage to them.

6379. You have given a comparison of this navigation with other navigations as to sectional area. You have compared it with the Aire and Calder, and with the Leeds and Liverpool; you have not compared it with the Severn, which also is a natural river. Do you know that the sectional area of the Severn is 1,500 feet?—I daresay it is. I know the Severn very well.

Chairman.] I do not think it is material what the sectional area of the Severn is.

Cross-examined by Mr. *Littler* (for the Salt Union).

6380. It is the fact, is it not, that the Weaver is very well off for its water supply?—Yes, as I said just now, it is so well off that we want to get rid of the water.

6381. One question with regard to the piling: do the trustees do all the piling now?—Not always; it depends on whether it is absolutely necessary to keep the bank up, or whether piling is required for the traders' purposes in lading and discharging.

6382. You are the judges of what you are bound to do; you are under no legal obligation in that respect?—Except to maintain the banks

6383. The river was well maintained during the year ending March 1893?—Yes, vessels went down drawing 10 ft. 3 in. of water.

6384. It is the fact, is it not, that the Winsford traffic, until the establishment of Brunner Mond's works, has been the traffic which has most largely contributed to all the improvements below Northwich?—Yes.

6385. Two-thirds of the traffic; in fact,

Mr. *Littler*—continued.

three-fourths of the traffic being up to that time Winsford traffic?—Yes.

Cross-examined by Mr. *Claude Baggallay* (for the Winsford Local Board and Traders on the Weaver).

6386. Has that bridge at Northwich sunk at all since you got your Act?—Yes, it has.

6387. And the navigation is rapidly becoming more difficult?—Yes, the bridge since January of last year has sunk 3¾ inches bodily, it gives a less headway for the traffic.

6388. About what headway have you there now?—Twelve feet 10¼ inches.

Chairman.] All you want to show is that it has been sinking.

Mr. *Claude Baggallay.*

6389. I want to show the urgency of improving the bridge and having sufficient funds to preserve it. (To the *Witness.*) It is the fact, is it not, that there are vessels lying now at Winsford which, owing to the fact of your having been unable to remove the Newbridge Lock, have been unable to get away from Winsford down the navigation?—Yes, they are stranded there; they have been built and cannot get through.

6390. Vessels have been constructed at Winsfore and are stranded owing to the want of being able to get down the navigation?—Yes.

[The Witness is directed to withdraw.

Mr. STOBART INMAN, is called in; and, having been sworn, is Examined, as follows:

Mr. *Moon.*

6391. You are General Manager and Clerk to the River Weaver Trustees?—I am.

6392. The Committee know who the trustees are. I may ask you as to the payments to the county. The trustees have always been representative of the county, have they not?—Yes.

6393. And under the Acts of Parliament the surplus arising from the tolls has had to be paid over to the county?—According to the Act.

6394. Up to 1778 there was no surplus, but since that time, from time to time, surpluses have been paid over to the county?—They have.

6395. I will take you at once to the Tables, because they show everything which the Committee will have to know. You are responsible, are you not, for these Tables; you have made them out?—I have. They have been made up under my instructions and with my knowledge.

6396. Please begin with Table B., the second page. The first column consists of years, the second two columns show the amount of money borrowed and during what years; then there is a column of tolls, net; then a column of tolls and rents, and then a column of the exceptional income terminable in 1893–94, and then there is the "total income"?—That is so.

6397. The first question I want to ask you is upon the total income column; does that total income figure represent the same figure as the total income figure in your balance sheet for the year?—1893.

6398. Dealing with the year 1893, you have given to the Committee with these Tables the balance sheet of 1893–94?—That is so.

6399. And if we look at the balance sheet for 1893 the income figure, 56,402*l.*, is the same figure that you have put in your total income?—That is so.

6400. Starting with the total income from your balance sheet you have separated it under three heads, namely, "Tolls, Net," "Docks and Rents," and "Exceptional Income terminable in 1894"?—That is so.

6401. Dealing with the first item "Tolls, Net,"

Mr. *Moon*—continued.

I want you to look at the balance sheet for 1893, where the net rates on the river are shown at 47,230*l.*?—That is so.

6402. In your account the "Tolls, Net" are 43,012*l.*?—That is so.

6403. Will you explain why it is that your tolls, net, which you show upon your Table are not the same figures as the tonnage rates shown in the balance sheet?—They differ for this reason, that in the year 1893 balance sheet, made up by the trustees, all river tolls are included in that 47,230*l.*, but in the Statement No. 2, the mud tolls from the Manchester Ship Canal Company, 3,792*l.*, have been deducted. Again there has been deducted in the No. 2 Statement the drawbacks allowed on salt of 5 per cent; then there has been added in this No. 2 Statement again 779*l.* Weston Canal tolls which are shown in the second figure in the 1893 balance sheef; if you deduct from 47,230*l.* the first item in the balance sheet of 1893 the sum of 3,792*l.*, exceptional income from mud tolls, deduct also 5 per cent drawback on salt, and then add the Weston Canal tolls, which are the second item in the balance sheet of 1893, you have 43,012*l.*

6404. Really I may say that the difference is accounted for in this way, that, first of all, the 47,230*l.* is gross, from which deductions for drawbacks have to be made; and, secondly, in the 47,230*l.* there is included the mud tolls which you have included in the exceptional income?—That is so.

6405. Why do you treat these mud tolls as being exceptional income?—Because it was exceptional, in this sense, that it was only a temporary arrangement by the Manchester Ship Canal Company, and the arrangement has since ceased, and the income from that source has entirely ceased also.

6406. You gave the figure which you deduct from mud tolls as 3,792*l.*?—Yes.

6407. But your exceptional income in the column of that Table is 7,896*l.*?—That is so.

6408. What are the other items that make up that

Mr. *Moon*—continued.

that exceptional income? — £. 2,625, which is shown as the fourth item in the 1893 balance sheet, that is rents and tolls by the Manchester Ship Canal Company from us in that year, also 918*l.*, hire of dredging plant to them for use in their dredging operations, which is also shown in the balance sheet, the last item but one on the left-hand side, and also 561*l.* rents of wharves, which the Manchester Ship Canal rented from us for their purposes, which is part of the last item in the 1893 balance sheet, under Rents, 1,098*l.*

6409. Am I correct in saying that your Table represents what your balance sheet would have been if you had not had this exceptional revenue under these three heads of mud tolls, wharf rents, dock rents, and so forth?—That is so.

6410. Would the same apply to the figures of 1894?—They would, only in different amounts.

6411. The way in which you have arrived at your figure of net tolls is shown in the first Table, is it not, in detail?—It is.

6412. You start with your balance-sheet fair and deduct mud tolls, and deduct 5 per cent. drawback; then add the Weston Canal tolls, and you arrive at the figure of your net tolls, 43,012*l.*?—Yes.

6413. Then you add the other items and arrive at the balance-sheet figure of 56,402*l.*?—Yes, that is so.

6414. The same calculation is gone through in 1894?—Yes.

6415. Now, turn to the third Table, showing the details of Table B; that is on page 3. That shows the items making up the exceptional income in 1893 and 1894?—Yes.

6416. Has that exceptional income come to an end?—It has entirely, except in respect of the 1881 rents, which ended in June last, and the hire of a small tug at 9*l.* a week, which is still going on, subject to a fortnight's notice.

6417. So that practically, if you maintain your present powers upon the figures of last year, instead of having a revenue to look forward to of 49,900*l.*, you could only have a revenue of 45,700*l.*?—Including the docks, that is so.

6418. That is the total revenue including the docks, is it not?—It is.

6419. Do the docks and rents go to the figure of 6,060*l.*?—Yes.

6420. Upon the other side of the account, upon the expenditure side, the docks for last year were 6,446*l.*?—That is so.

6421. So that, if you put out of sight the docks and the income from them, which is rather less than the expenditure upon them, you will have to deduct another 6,000*l.* from that 45,000*l.* in order to ascertain what your income will be, against which you have got to set the cost of maintaining your canal and the repayment of interest?—That is so.

6422. Does that reduce the available income for the purpose of maintaining your canal, paying your debts, and improving your canal, to something like 39,000*l.*?—It does.

Sir *William Houldsworth.*] Do you take the 6,000*l.* out from both sides for the purpose of the docks?

Mr. *Moon.*] Yes.

Sir *William Houldsworth.*] Of course, it reduces the expenditure by about the same amount.

Mr. *Moon.*] Yes.

Sir *William Houldsworth.*] In calculating the 39,000*l.* to compare it with the expenditure, we must deduct the 6,000*l.* expenditure upon docks upon each side.

Mr. *Moon.*

6423. Yes. (To the *Witness.*) What is the average expense of maintaining your canal, apart from your docks?—The figures for 1893 show 37,900*l.*

6424. I think you misunderstood my question. I want the figures first for the repair and maintenance upon the average of 10 years? £21,702; that is in 1893.

6425. £26,476 in 1894?—That is so.

6426. What is the average expenditure; have you taken it for that period of time?—Over 10 years; 23,619*l.* a year.

6427. So that for the purpose of keeping up your navigation you require 24,000*l.* a year?—That is so.

6428. You borrowed, as we know, upon annuities?—Yes.

6429. What do you require for the purpose of meeting the instalments due upon those annuities?—£.16,200 a year.

6430. Will that 16,200*l.* a year which you now require to meet the instalments go on at the same figure?—It will till 1907, when the first lot of annuities fall out.

Sir *William Houldsworth.*] I get the figures of 24,000*l.* for 10 years, and 16,000*l.*; that makes 40,000*l.*

Mr. *Moon.*] As against the 39,000*l.*

Sir *William Houldsworth.*] So that the 37,000*l.* was a misunderstanding?

Mr. *Moon.*] Yes.

Sir *William Houldsworth.*] You take the average of the 10 years for the expenditure and take the last year for the income?

Mr. *Moon.*

6431. Yes, because the expenditure remains pretty constant from year to year. (To the *Witness.*) Does the expenditure upon your canal depend in any degree upon the amount of traffic which passes upon it?—To some extent it naturally would do.

6432. To any degree I said?—No; there is a certain amount absolutely permanent year by year.

6433. Whatever traffic passes upon your canal you must dredge it?—Yes.

6434. Whatever traffic passes upon your canal you must deal with the floods?—Yes.

6435. Whatever traffic passes upon your canal you must have men to attend to your locks?—Yes.

6436. And you have tabulated the total of your establishment charges?—Yes.

6437. So that practically the expenditure does not depend upon the amount of traffic upon the canal?—Only to a very slight extent.

Sir *William Houldsworth.*

6438. You say the average of 24,000*l.* for the last 10 years represents what will be absolutely necessary to maintain the navigation for the next 10 years?—I do.

Mr. *Moon.*

6439. We have arrived at the figure of revenue available, 39,000*l.*, deducting docks, and an expenditure figure of 40,000*l.* equally deducting docks?—Yes.

6440. Is it also necessary for the purposes of the navigation, as we heard, that certain improvements shall be carried out amounting to 60,000*l.*?—Yes.

6441. Have you calculated what you would have to pay per annum if you borrow that sum of money upon annuities?—I have.

6442. What does it work out at?—£.3,600 a year.

6443. So that what you require to meet your permanent expenses, pay your debts, and carry out your improvements, is something more than 44,000*l.* a year?—That is so.

6444. There is one other question I will ask you upon that particular Table, the payment which you said is necessary to meet the annuities of 16,200*l.*, is divided up into interest on borrowed money and annuities repaid?—Yes.

6445. And one sees, looking at the Tables, that the interest upon the borrowed money decreases while the instalments of the annuities increase?—Yes.

6446. That must be so up to the end?—That is so.

6447. The interest will go down and the instalments increase until 1907?—Yes.

6448. But the total figure of the instalment, plus interest, will remain 16,200*l.*?—Yes, until 1907.

6449. If you borrow 100*l.* for 20 years at 5 per cent., the last 5*l.* instalment will consist mainly of capital and little interest?—Yes, that is so.

6450. It was suggested by my learned friend Mr. Cripps, that that repayment of annuities was something in the nature of a payment of capital; are you bound under the terms of the deed under which you raised that money to pay off capital and interest by instalments?—We are.

6451. There is only one other figure I want, that is the figure upon the diagram of the total income which was handed in the other day. An honourable Member pointed out that the figures in your diagram of total income do not correspond with the "tolls, net," which is shown in your Table on page 2, which I will call Table B.?—The reason why it does not agree with that Table is, if you will look at the heading and check that figure, it is revenue from river tolls, less drawbacks, and the tolls on the Ship Canal dredging. If, therefore, from any of the years in Table 2 you deduct the amount of the Ship Canal dredgings exceptionally and the drawbacks allowed, you will get the net sum shown in this charge.

Mr. *Spicer.*] I do not know that the figures agree at present.

Mr. *Moon.*

6452. May I call attention to the last year, 1894; that gives an income of 38,822*l.* on the diagram of 1894. Now, if you adopt the value of the Weston tolls for that year, will it bring the 38,822*l.* shown upon your diagram to the figure shown as your tolls net, or very nearly?—I may explain upon the 1893 figures, and make myself clear. In the 1893 balance-sheet, which you have before you, 47,230*l.* is the total river tolls; deduct from that the exceptional income which has been mentioned of 3,792*l.*, the Manchester Ship Canal dredging, and further deduct 1,205*l.*, drawback supon salt, you get 42,233*l.*

6453. That is the figure shown upon your diagram?—It is.

6454. The figure shown in your Table B. is 779*l.* added to it?—Yes.

Sir *William Houldsworth.*

6455. Will you direct your attention to 1890 and 1894 upon the B. Table. In 1890 the income was 49,000*l.*; in 1894 it is also 49,000*l.*; then, when I look at the expenditure for these two years, I find in 1890 the expenditure was only 42,000*l.*, and in that year you were able to give 10,000*l.* over to the county; and in the year 1894 the expenditure had risen to 49,000*l.*, your income being the same. What was the expenditure that ran away with the balance? Looking at how that addition of 7,000*l.* is made up, I gather it is about 5,000*l.* on maintenance and repairs, about 1,400*l.* on the docks, and the other items we need not go into. That makes up the difference practically. I want to know what is the reason of that additional expenditure of 26,000*l.*; because in 1890, 1891, 1892, and 1893 the expenditure on repairs and maintenance is about the same, then it suddenly rises in 1894, which runs away with your balance?—I am afraid I cannot answer your question with regard to the earlier years; I only became manager in 1892, therefore I cannot very clearly answer that.

6456. Can you explain the sudden rise from 21,000*l.* to 26,000*l.*?—That is caused by the exceptional expenditure required during the year ended the 31st March 1894, partly caused by the heavy piling which had to be done for the two principal traders on the river, the Salt Union and Brunner, Mond, and Company coming to nearly 1,000*l.* in one item. The maintenance of the banks has had to be more particularly looked after; it had rather fallen into arrear, and some of the trustees' stock boats had gone for a long time without repair, and the boilers gave out and had to be attended to; and that made an extra expenditure in the engineers' department for boats.

6457. The piling and boats is rather of the nature of exceptional expenditure in that year?—It is in that particular year; but a certain amount of piling and maintenance of that nature is absolutely necessary every year; if it at all falls into arrear you have to make up for the previous years, therefore the necessary work which had to be done this year was rather heavier.

6458. I will

Mr. *Moon.*

6458. I will call your attention to this: the total receipts for that particular year to which the honourable Member has referred were 49,000*l.*, and the total expenditure in that particular year was 42,000*l.*?—That is in 1890.

6459. That only gave you a margin in that particular year of 7,000*l.*, though 10,000*l.* was paid to the county; therefore there was a balance over from the former year?—Presumably so.

6460. At all events, out of that particular year you did not pay 10,000*l.* to the county. If you look at your total figure of revenue and expenditure it is impossible that you could have given 10,000*l.* to anybody out of the margin?—No.

6461. There is only 7,000*l.* margin?—That is so.

6462. If you kindly look at the interest on borrowed money and annuities in that year you see it amounts to 15,000*l.*, instead of 16,000*l.*?—Yes.

Mr. *Moon*—continued.

6463. So that even with the expenditure in that year there was a balance of 6,000*l.*, and not 10,000*l.*, comparing things as they are at present?—Yes.

6464. The Table also shows that you were able to repay in 1891, 1892, and 1893, 10,000*l.* in each of those years?—Yes.

6465. Independently of the fact that your revenue was higher than it is now before the deduction; was there also a large exceptional income derived from the Manchester Ship Canal Works in each of those years?—There was.

6466. And that, of course, you say is now stopped?—Yes.

[*The following Tables are delivered in:*—]

(A.)

RIVER WEAVER NAVIGATION.

Income and Expenditure Accounts.

	1893.		1894.	
	£.	£.	£.	£.
River Toll	47,230			43,314
Deduct Mud	3,792			2,497
	43,438			40,817
Deduct 5 % drawback	1,205			1,995
	42,233			38,822
Weston Canal	779			867
	43,012			39,689
Anderton Rates	87		99	
Rents	538		544	
		625		643
Weaver Income	43,637			40,332
Add Exceptional Income	7,896			4,207
	51,533			44,539
Docks	4,869			5,417
	£. 56,402			£. 49,956

(B.)

RIVER WEAVER NAVIGATION.

STATEMENT of INCOME and EXPENDITURE for 11 Years ending 31st March 1894.

Year.	Amount Borrowed.		INCOME.				EXPENDITURE.						New Works.	County.
	Annuities.	Bonds.	Tolls, Net.	Docks and Rents.	Exceptional Income Terminable 1893–4.	Total.	Repairs, Maintenance, &c.	Docks.	Interest on Borrowed Money.	Debt Repaid. Annuities.	Debt Repaid. Bonds.	Total.		
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
1884	—	—	63,849	5,478	—	69,327	26,340	4,600	9,147	3,904	—	43,991	8,500	10,000
1885	—	—	61,379	5,749	—	67,128	28,323	4,612	89,81	4,081	—	45,997	17,917	15,000
1886	—	—	55,953	4,993	—	60,946	25,862	4,155	8,703	4,269	—	42,989	16,375	15,000
1887	—	—	56,304	4,961	—	61,265	23,832	4,486	8,508	4,463	—	41,289	18,911	15,000
1888	—	—	51,699	5,636	—	57,335	23,987	5,485	8,337	4,666	—	42,475	34,098	15,000
1889	40,000	—	52,168	5,128	259	57,555	22,417	4,814	8,947	5,229	—	41,407	26,675	15,000
1890	15,000	—	43,485	5,224	310	49,019	21,758	5,092	9,498	5,823	—	42,171	11,128	10,000
1891	—	30,000	45,246	5,887	1,782	52,915	22,587	6,942	11,080	6,351	10,000	56,060	809	—
1892	—	—	42,402	5,632	6,898	54,932	19,506	5,692	10,316	6,635	10,000	52,149	338	—
1893	—	—	43,012	5,494	7,896	56,402	21,702	5,906	9,589	6,932	10,000	54,129	4,522	—
1894	—	—	39,689	6,060	4,207	49,956	26,476	6,446	8,931	7,242	—	49,095	6,305	—

NOTE.—Amount borrowed on Annuities previous to 1884 - £. 225,000
Amount due on Annuities, 31st March 1894 - - 204,094
Annual charge for repayment of Principal and Interest 16,200

(C.)

Details of Table (B.), Income and Expenditure, for 1893 and 1894.

	Tolls, Net.			Docks and Rents.			Exceptional Income.			Repairs and Maintenance.	
	1893.	1894.		1893.	1894.		1893.	1894.		1893.	1894.
	£.	£.		£.	£.		£.	£.		£.	£.
Tolls, Gross - -	47,230	43,314	Dock Charges -	4,869	5,417	Mud Tolls -	3,792	2,497	Repairs and Maintenance -	10,514	13,849
Less Mud Tolls - (*See* Exceptional Income.)	3,792	2,497	Rents - -	538	544	Dock Rents -	2,625	709	Anderton Lift -	838	920
	43,438	40,817	Anderton Rates	87	99	Hire of Dredging Plant -	918	310	General Charges	9,786	10,885
Deduct Drawbacks -	1,205	1,995	Total - - £.	5,494	6,060	Wharf Rents -	561	666	Depreciation -	499	584
	42,233	38,822				Miscellaneous -	—	25	Bank Charges -	65	238
Add Weston Canal Tolls - - -	779	867				Total - - £.	7,896	4,207	Total - -	21,702	26,476
Total - - £.	43,012	39,689									

(D.)

River Weaver Navigation.

Income and Expenditure for the Year Ended 31st March 1893.

Dr. — Income.

	£. s. d.	£. s. d.
Tonnage rates, River	47,230 7 9	
„ Weston Canal	778 16 –	
Weston Dock Charges	4,869 4 11	
Rent of Docks and Wharves	2,625 – –	
	7,494 4 11	
Anderton, Discharging, &c., Rates	86 15 1	
	55,590 3 9	
Less Drawbacks	1,205 5 11	
		54,384 17 10
Hire of Dredging Plant		918 7 10
Rents		1,098 17 9
		£. 56,402 3 5

Expenditure.

Cr.

	£. s. d.	£. s. d.
Repairs and Maintenance—		
Towing Paths, River Banks, and Walls	1,566 17 11	
Basins, Locks, Clowes, and Bridges	4,193 9 8	
Dredging	1,878 4 8	
Steam and other Boats	980 9 10	
Buildings	875 2 1	
Engines, Machinery, and Plant	412 – –	
Yard Expenses	121 12 –	
Land Drains	56 11 1	
Ice Breaking	268 12 6	
Raising Town Bridge	161 3 3	
	10,514 3 –	
Anderton Lift Expenses	837 9 8	
		11,352 2 8
General Charges, &c.—		
Rents and Damages	837 9 3	
Poor Rates — 2,538 17 1		
Sundry Rates and Taxes — 1,118 – 9		
	3,665 17 10	
Insurance	88 14 11	
Churches and Schools	719 8 3	
Pensions	386 1 –	
Subscriptions and Accident Allowances	42 17 3	
Advertising, Stationery, &c.	154 9 6	
Parliamentary and Law Expenses — 149 19 4		
Canal Rates Enquiry Expenses — 361 9 1		
	511 8 5	
Auditing and Stock-taking	105 – –	
Salaries	2,697 12 –	
Miscellaneous	586 2 –	
		9,786 – 5
Weston Docks Expenses		5,906 1 10
Depreciation, &c.—		
On Working Stock	264 – –	
„ Engines, &c.	114 18 4	
„ Boats	119 12 –	
		498 10 4
Bank Commission, less Interest		65 6 11
Interest on Annuities		9,259 10 1
„ Bonds		329 1 3
Annuities Repaid		6,931 12 4
Bonds „		10,000 – –
Balance carried to New Works Account		2,273 17 7
		£. 56,402 3 5

New Works Account.

	£. s. d.		£. s. d.
To Balance of Income and Expenditure Account	2,273 17 7	By Wharf, Weston Marsh	1,780 3 1
Balance	2,248 7 7	„ Bridge Alterations, do.	1,420 10 4
		„ Anderton Lift Alterations	331 17 4
		„ Swing Bridges, Northwich	989 14 5
	£. 4,522 5 2		£. 4,522 5 2

Annuities Account.

Dr. — *Cr.*

	£. s. d.		£. s. d.
31 March 1883. To Instalments paid	6,931 12 4	1 April 1892. By Balance	218,267 6 11
„ Balance carried down	211,335 14 7		
	£. 218,267 6 11		£. 218,267 6 11
		1 April 1893. By Balance amount borrowed — 280,000 – –	
		Less Repaid — 68,664 5 5	
			211,335 14 7

Bond Account.

Dr. — *Cr.*

	£. s. d.		£. s. d.
31 March 1893. To Amount repaid	10,000 – –	1 April 1892. By Balance	10,000 – –

Working Stock—Boats, &c., Account.

Dr. — *Cr.*

	£. s. d.		£. s. d.
1 April 1892. To Value at date	23,970 16 6	31 March 1893. By Depreciation, &c.—	
31 March 1893. To Additions during the year	2,568 3 3	On Working Stock 264 – –	
		„ Boats — 787 2 4	
		„ Engines, Machinery, &c. — 114 18 4	
			1,166 – 8
		„ Sales, &c.	533 2 7
		„ Balance Value at date	24,839 16 6
	£. 26,538 19 9		£. 26,538 19 9
1 April 1893. To Balance brought down	24,839 16 6		

Balance Sheet.

31 March 1893. Assets—	£. s. d.	£. s. d.	31 March 1893. Liabilities—	£. s. d.
Tonnages, Rates, &c.	7,902 6 –		Annuities	211,335 14 7
Working Stock—Boats, &c.	24,839 16 6		Parr's Banking Company	1,995 18 9
Stores	2,201 – 3		Sundry Creditors	2,144 19 1
	34,943 2 9			
Works, Expenditure Account—				
Balance 31st Mar. 1892	195,216 14 5			
New Works	4,522 5 2			
	199,738 19 7			
Less Balance of Income	2,273 17 7			
Annuities Repaid	6,931 12 4			
Bonds Repaid	10,000 – –			
	19,205 9 11			
		180,533 9 8		
		£. 215,476 12 5		£. 215,476 12 5

Audited and found correct,
Ashworth, Mosley & Co.,
Chartered Accountants.

28th June 1893.

Income and Expenditure for the Year Ended 31st March 1894.

Dr. Income.	£. s. d.	£. s. d.
Tonnage rates, River	43,313 16 6	
„ Weston Canal	867 4 4	
Weston Dock Charges	5,417 - 4	
Rent of Docks and Wharves	709 11 9	
	6,126 12 1	
Anderton and Winnington Discharging, &c., Rates	98 15 2	
	50,406 8 1	
Less Drawbacks	1,995 1 5	
		48,411 6 8
Hire of Dredging Plant	1,444 12 10	
Less Repairs and Depreciation	1,134 15 2	
		309 17 8
Miscellaneous Receipts		25 11 6
Rents		1,209 12 9
		£. 49,956 8 7

Expenditure.	£. s. d.	£. s. d.	Cr.
Repairs and Maintenance—			
Towing Paths, River Banks and Walls	3,093 9 7		
Basins, Locks, Clowes and Bridges	4,621 12 2		
Dredging	3,079 18 –		
Steam and other Boats	1,127 9 4		
Buildings	926 19 8		
Engines, Machinery, and Plant	481 10 –		
Yard Expenses	141 14 2		
Land Drains	189 5 4		
Ice Breaking	24 13 9		
Paving Town Bridge	62 2 1		
Raising „ (compensation)	100 – –		
	13,848 14 1		
Anderton Lift, Shoots, and Winnington Tip Expenses	920 9 5		
		14,769 3 6	
General Charges, &c.—			
Rents and Damages	789 14 8		
Poor Rates	2,809 18 4		
Sundry Rates and Taxes	1,186 12 8		
	3,996 11 –		
Insurance	95 15 11		
Churches	668 6 7		
Schools	330 – 1		
	998 6 8		
Pensions	403 1 –		
Subscriptions and Accident Allowances	54 13 8		
Advertising, Stationery, &c.	199 13 10		
Parliamentary and Law Expenses	229 15 5		
Canal Rates Enquiry Expenses	558 15 11		
	788 11 4		
Auditing and Stock-taking	130 – –		
Salaries	2,891 – –		
Miscellaneous	537 17 7		
		10,885 5 8	
Weston Dock Expenses		6,446 11 3	
Depreciation, &c.—			
On Working Stock	214 4 –		
„ Engines, Machinery, &c.	143 18 –		
„ Boats	225 17 –		
		583 19 –	
Bank Interest and Commission		237 15 11	
Interest on Annuities		8,930 18 10	
Annuities Repaid		7,241 15 10	
Balance Carried to Works Expenditure Account		860 18 7	
		£. 49,956 8 7	

New Works Account.

31 March 1894.	£. s. d.
To amount expended as per contra, carried to "Works Expenditure Accounts"	6,305 9 5
	6,305 9 5

31 March 1894.	£. s. d.
By Wharf, Weston Marsh	1,460 14 7
„ Bridge Alterations, Weston Marsh	1,041 – 2
„ Expenditure relating to Swing Bridges, Northwich, Parliamentary, Engineers, &c., Expenses	3,803 14 8
	£. 6,305 9 5

Annuities Account.

Dr.	£. s. d.	£. s. d.	Cr.
31 March 1894.		1 April 1893.	
To Instalments paid	7,241 15 10	By Balance	211,355 14 7
„ Balance carried down	204,093 18 9		
	£. 211,335 14 7		£. 211,355 14 7
		1 April 1894.	
		By Balance, amount borrowed 280,000 – –	
		Less Repaid 75,906 1 3	
			204,093 18 9

Working Stock—Boats, &c., Account.

Dr.	£. s. d.	£. s. d.	Cr.
1 April 1893.		31 March 1894,	
To Value at date	24,839 16 6	By Depreciation, &c.—	
31 March 1894.		On Working Stock	214 4 –
To Additions during the year	697 – 1	On Boats	873 8 –
		" Engines, Machinery, &c.	143 18 –
			1,231 10 –
		By Sales, &c.	83 14 3
		„ Balance Value at date	24,221 12 4
	£. 25,536 16 7		£. 25,536 16 7
1 April 1894.			
To Balance brought down	24,221 12 4		

Balance Sheet.

31 March 1894.	£. s. d.	£. s. d.	31st March 1894.	£. s. d.
Assets—			Liabilities—	
Tonnage Rates, &c.	6,073 12 3		Annuities	204,093 18 9
Working Stock, Boats, &c.	24,221 12 4		Parr's Banking Co., Ltd.	5,666 3 10
Stores	2,056 14 5		Sundry Creditors	1,328 1 1
		32,351 19 –		
Works Expenditure Account—				
Balance, 31st March 1893	180,533 9 8			
New Works	6,305 9 5			
	186,838 19 1			
Less Annuities Repaid	7,241 15 10			
Balance of Income	860 18 7			
	8,102 14 5			
		178,706 4 8		
		£. 211,088 3 8		£. 211,088 3 8

Audited and found correct,
Ashworth, Mosley & Co.,
Chartered Accountants.

Manchester, 27th June 1894.

Mr. *Moon*—continued.

6467. Then you have a Table which was used at the Board of Trade Inquiry which shows in detail what your expenditure was in repairs and maintenance, as distinguished from establishment charges, from 1887 to 1894; it is Table G. of the Board of Trade; the honourable Members would like to look at that; that Table shows in detail, does it not, what you have expended in each of those years upon repairs and maintenance?—That is so; 1887 to 1893.

6468. And in 1894 what you expended amounts to 13,800*l.*?—That is so.

6469. Which, of course, is 3,000*l.* more than what you expended in maintenance in that year?—That is so.

Mr. *Moon*—continued.

6470. If you go back to 1887 and 1888 you have there the figure of 12,000*l.* in each year?—That is so.

Chairman.] What is there in addition to this Table; this does not show anything like 24,000*l.*?

Mr. *Moon.*] No, that only relates to repairs and maintenance, and not to establishment charges.

[*The following Table is delivered in*:—]

(G.)

RIVER WEAVER NAVIGATION.

Repairs and Maintenance on Works, &c.

Year ended 31st March.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	Average.	1894.
	£.	£.	£.	£.	£.	£.	£.	£.	£.
Towing-paths, River Banks and Walls - - - - - - -	998	952	892	685	1,262	1,211	1,567	1082·	—
Basins, Locks, Clowes, and Bridges -	3,733	3,797	3,485	3,925	4,137	4,253	4,193	3931·83	—
Dredges, Steamers, &c. - - - -	4,886	4,611	2,282	2,149	2,929	2,265	2,859	3140·5	—
Buildings - - - - - -	1,166	1,031	1,194	638	591	555	875	864·1	—
Engines, &c. - - - - - -	618	732	325	229	377	342	412	433·13	—
Yard Expenses - - - - -	365	358	112	138	152	96	122	191·85	—
Land Drains - - - - - -	122	83	92	86	53	146	57	91·28	—
Ice Breaking - - - - - -	35	9	14	—	343	61	268	104·28	—
Exceptional - - - - - -	183	460	—	819	288	—	161	273·0	—
Total - - - - -	12,106	12,040	8,396	8,659	10,132	8,929	10,514	10,111	13,800
Anderton Lift - - - - -	768	895	1,004	1,003	879	818	838	886·42	—

Sir *William Houldsworth.*] In B. Table "repairs, maintenance," &c., is in addition to "repairs and maintenance on works," which are represented in Table G. almost as much as under some other head which you call establishment charges.

Mr. *Moon.*] General charges.

Sir *William Houldsworth.*] Wages and things of that kind.

Witness.] The figures in the 1893 account correspond with the 1893 total here of 10,514*l.* in the balance sheet of 1893. Then there are general charges in addition, and other charges too.

Mr. *Moon.*

6471. Looking to it a little more in detail, and dealing with the basins, locks, clowes, and bridges, I see in 1894 the expenditure was 4,600*l.*, but it had exceeded 4,000*l.* for the three preceding years?—Yes.

6472. Whereas for the year prior to that it had been below 4,000*l.*?—Yes, a little below.

6473. Again the next head, dredging, 4,200*l.*, that was below 4,000*l.* till you get back to 1888, and then it was considerably more than 4,000*l.* on dredging and steamers?—In 1887 it was 4,886*l.*, and 4,611*l.* in 1888; and there it goes down to 1894 when it comes to the same figure.

6474. Your expenditure upon buildings was rather less in 1894; there is 87*l.* 8*s.* 9*d.*?—That is so.

6475. Of course, you are not basing your case upon an expenditure of 26,000*l.*, because you have said that the average expenditure is 24,000*l.*, which we have been taking all along in considering what our total is to be as being the basis of the permanent expenditure?—Yes.

6476. So that you do not rely upon the figures of the maintenance in 1894?—No.

Sir *Richard Paget.*] Does the average of 10 years include the year 1894?

Mr. *Moon.*] No doubt it will be to that extent, but we are not relying upon the figures of 1894 alone. It does come in as it ought to come in. The average of 23,619*l.* does not include 1894; it is from 1884 to 1893.

6477. Therefore that higher figure does not come in in the calculation of your average expenditure?—No.

6478. The chemical toll, as we know, is 8*d.* at present?—That is so.

6479. Is it your opinion that that is a sufficient toll for the accommodation that the traffic receives upon the navigation?—No.

6480. Chemicals go from Winnington, do not they?—From Northwich, Baron's Quay, and Winnington.

6481. Did you advise the trustees, prior to this inquiry, that the tolls upon chemicals ought to be raised?—Soon after I became manager, in 1892, I brought the matter to the attention of the trustees, with the result that we went to the Board of Trade, and had an interview, the result of which rather went to show that as the matter of rates and tolls was *subjudice*, nothing could be done; but since that time, within two months, the pressing needs of the navigation led the trustees to issue a notice that the tolls would be

Mr. *Moon*—continued.

raised on all goods, which included chemicals, to 1*s.* per ton.

Sir *William Houldsworth.*

6482. For the whole distance?—For all goods, and for the whole or any part of the distance.

Mr. *Moon.*] The 8*d.* is also for the whole distance or any part of the distance.

Mr. *Cripps.*

6483. It is up to where Brunner, Mond, and Company's works are?—As regards chemicals, that is so; as regards other articles it includes Winsford also.

Sir *Richard Paget.*

6484. Whether from Winsford or Northwich, the toll to Weston is the same?—Yes. At the present moment there are negotiations going on, and shafts are being driven with a view to the establishment of chemical works at Winsford at this moment. A syndicate are arranging for land on which a brine shaft is being sunk with a view to chemicals being made at Winsford.

Sir *William Houldsworth.*

6485. It is not absolutely arranged yet?—No.

Mr. *Moon.*

6486. I believe for a good many years upon the navigation there has been a toll of 8*d.* for goods wherever the goods were destined for or come from?—Yes.

6487. Any part of the whole navigation?—Yes.

6488. Brunner, Mond, and Company, put up their works, the chemicals from their works were treated as goods?—Yes, they came under merchandise, wares and other goods.

6489. Was the 8*d.* fixed specially with regard to Brunner, Mond, and Company's chemicals, or were they charged 8*d.*, because 8*d.* was the charge upon the navigation for goods?—Eightpence was charged upon goods, and they come under 8*d.*

6490. Have you made inquiries as to whether the chemical trade can bear a higher toll than the toll which you are at present charging?—I have.

6491. Chemicals are made at Widnes and St. Helens as well as at Northwich?—Yes.

6492. Can you give the Committee what the relative cost is of the delivery of a ton of chemicals from Northwich and from Widnes and St. Helens?—Leaving out the actual cost of making the chemicals, the cost to Brunner, Mond, and Company, I make 2*s.* 6*d.* a ton, to Bowman, Thompson and Company at Baron's Quay, Northwich, 3*s.* 9*d.*, to manufacturers at Widnes, 11*s.* 3*d.*, and to manufacturers at St. Helens, 12*s.* 0½*d.*

Sir *Richard Paget.*

6493. What is the reason of the difference between 3*s.* 9*d.* and 11*s.* 3*d.*?—The difference is owing to this: that Brunner, Mond, and Company have their own brine shafts and their own brine, which they pump into their works for the purpose of making chemicals. That pumping does not cost them

Sir *Richard Paget*—continued.

them more than 3*d.* at the outside; I believe 2*d.* a ton. Those at Widnes have to get the rock-salt to Widnes, make it into brine, and then make the chemicals; the cost of that rock-salt to them turned into brine is 9*s.* 7*d.*, as against 2*d.* to Brunner, Mond, and Company. The St. Helens man has to get his white salt to St. Helens, turn it into brine, and then make it into chemicals, and send them back to Liverpool by the St. Helens Canal, and it costs him 12*s.*

Mr. *Spicer.*

6494. What is the actual cost in transit from Messrs. Brunner, Mond and Company's works to Liverpool, not including the pumping of the brine?—The cost, as I make it, to Brunner, Mond, and Company for a steamer and three barges taking chemicals from their works to Liverpool comes to 11½*d.* a ton; that is the actual cost. With depreciation and interest on outlay it costs them 1*s.* 6¾*d.*, and with the toll of 8*d.* down the Weaver Navigation 2*s.* 2 7-11*d.* Messrs. Bowman, Thompson, on the other hand——

Mr. *Moon.*] We might make a comparison with St. Helen's and omit Bowman, Thompson.

Sir *William Houldsworth.*

6495. Is the 2*s.* 2 7-11*d.* the cost of freight and the toll from Brunner, Mond, and Company's works to Liverpool?—Yes, to alongside the vessel.

6496. Is is the whole carriage?—Yes, allowing also for depreciation of their property and interest upon their outlay.

6497. That is to say, the property in the boats?—Allowing for depreciation on the boats and interest on the money outlay.

Mr. *Cripps.*] So far as toll is concerned the Widnes people pay no toll and we pay 8*d.*

Chairman.] You will have an opportunity of getting that out in cross-examination.

Mr. *Moon.*

6498. Comparing the transport charges, what is the transport charge to Widnes, whether toll by canal or railway rates?—The transport charge to Widnes is 9*s.*, that is to the works at Widnes. Rock-salt is delivered there at 6*s.* a ton, delivered

Mr. *Moon*—continued.

on the spot. The actual cost of rock-salt delivered at the works at Widnes is 6*s.* a ton.

6499. Then what is the cost of transport of the chemicals to Liverpool?—From St. Helen's, 2*s.* 8*d.*; from Widnes, 1*s.* 8*d.*

6500. Does a ton of salt make a ton of chemicals?—No, it takes 23 cwt. of salt to make a ton of chemicals.

Mr. *Pember.*

6501. Are you sure that you are not making a mistake when you say that it takes about 23 cwt. of salt to make a ton of chemicals?—I am advised that it is 23 cwt.

Mr. *Moon.*

6502. So far as the comparative positions of Messrs. Brunner, Mond, and Company, and the traders with whom they compete at Witnes and St. Helen's are concerned, it is clear that they are in a much more favourable position as regards transport chrrges?—Yes.

6503. In your opinion can the traffic afford to bear 1*s.* instead of 8*d.*?—In my opinion, certainly.

6504. You have power now to charge them the shilling?—Yes.

6505. You are asking the Committee to allow you to charge a shilling?—Yes.

6506. By maintaining your present power?—Yes.

Mr. *Spicer.*

6507. If you have power to charge a shilling at present, why have you not charged the shilling?—The Board of Trade did not advise our doing it at the moment, and as the needs of the navigation were not so pressing at the time as they have been since we did not do it.

Mr. *Moon.*

6508. You had a surplus in 1893?—Yes.

6509. Now you are indebted to your bankers apparently to the amount of 6,000*l.*?—Yes.

6510. Have you carefully taken out the traffic which passes upon your canal and applied the tolls proposed by the Board of Trade to that traffic?—I have.

6511. You have some Tables which show that?—Yes.

[*The Witness handed in the following Tables:*—]

(R.)

River Weaver Navigation.—Year ended 31st March 1893.

Present Tolls.			Tolls Proposed by the Board of Trade.—(Provisional Order)										
Tons.	Toll per Ton.	Amount.	Class of Article.	Tons Avoirdupois.	Traffic between.	Mileage.	Toll per Ton.	Amount.	Total Amount.	Limit Toll.	Amount.	Total Amount.
		£.	Class A—1st 10 miles 0·40*d.*, 2nd 10 miles 0·20*d.*					£.	£.		£.	£.
25,853	6*d.*	646	Coal	3,874	Winsford and Weston Marsh	19	5·80	93	–	5·80	93	
			,,	34,905	Northwich ,, ,,	13	4·60	669	–	4·60	669	
									762			762
5,929	,,	148	Purple Ore	5,929	Anderton Lift and ,,	12	4·40	–	108	4·40	–	108
120	1*d.*	1	Cinders	120	,, ,, Weston Docks	13	4·60	–	2	4·60	–	2
1,086	,,	4	Sand	1,086	,, ,, ,,	,,	,,	–	20	,,	–	21
4,165	2*d.*	35	Stone	4,258	,, ,, ,,	,,	,,	–	82	,,	–	82
164	,,	1	Clay Puddling	164	,, ,, ,,	,,	,,	–	3	,,	–	3
93	1*d.*	–	Gravel	93	,, ,, ,,	,,	4·80	–	2	,,	–	2
			Class B—1st 10 miles 0·60*d.*, 2nd 10 miles 0·30*d.*									
10,874	8*d.*	362	China Clay	11,386	Anderton Lift and Weston Docks	13	6·90	–	327	6·90	–	327
51	10*d.*	2	Flags	51	,, ,, ,,	,,	,,	–	1	,,	–	1
5	6*d.*	–	Lime	5	,, ,, ,,	,,	,,	–	–	,,	–	–
1,874	2*d.*	16	Bricks	1,874	,, ,, ,,	,,	,,	–	54	,,	–	54
			Salt—0·60*d.* per ton per mile.									
620,089	1*s.*	31,004	White Salt	475,142	Winsford and Weston Marsh	19	11·40	22,569	–	9½*d.*	18,807	–
			,,	100,000	Northwich ,, ,,	13	7·80	3,250	–	7·80	3,250	–
			,,	44,947	Anderton Lift and ,,	12	7·20	1,348	–	7·20	1,348	–
			,,	65,000	Weston Marsh and Weston Docks	1	0·60	162	27,329		–	–
												23,405
71,043	6*d.*	1,776	Rock Salt	7,045	Winsford and Weston Marsh	19	11·40	336	–	6*d.*	176	–
			,,	75,039	,, ,, ,,	13	7·80	2,148	2,484	,,	1,876	–
												2,052
			Class C—1st 10 miles 0·70*d.*, 2nd 10 miles 0·50*d.*									
232,668	8*d.*	7,756	Goods	4,347	Winsford and Weston Docks	20	1*s.*	217	–	1*s.*	217	–
			,,	12,108	Anderton Lift and ,,	13	8½*d.*	428	–	8½*d.*	428	–
			,,	8,100	Northwich ,, ,,	14	9*d.*	303	–	9*d.*	303	
			Chemicals	14,000	,, ,, ,,	,,	,,	525	–	,,	525	–
			,,	194,962	Anderton Lift ,, ,,	13	8½*d.*	6,904	–	8½*d.*	6,904	–
									8,377			8,377
12,217	,,	407	Crates	13,110	,, ,, ,,	,,	,,	–	464	–	–	464
16,288	,,	543	China Stone	16,422	,, ,, ,,	,,	,,	–	580	–	–	580
21,375	,,	712	Flints	21,375	,, ,, ,,	,,	,,	–	756	–	–	756
640	,,	21	Bone Ash	640	,, ,, ,,	,,	,,	–	22	–	–	22
23		1	Chert Stone	23	,, ,, ,,	,,	,,	–	1	–	–	1
		£43,435							£41,374			£37,019

(Table S.)

RIVER WEAVER NAVIGATION.

Weston Canal.

Year ended 31st March 1893.

Present Tolls.		Tolls Proposed by the Board of Trade.—Provisional Order.				
Toll per Ton Avoirdupois.	Amount.	Class of Article.	Tons, Avoirdupois.	Distance travelled, Miles.	Amount. If Actual Mileage charged.	Amount. If Fraction of a mile charged as a mile.
	£ s. d.	Class A.—0·40*d.* *per ton per mile*			£ s. d.	£ s. d.
½*d.*	11 12 5	Stone - - - - -	5,579	¼	2 6 6	9 5 11
„	18 3 7	Sand - - - - -	8,731	¾	10 18 3	14 11 –
		Coal - - - - -	5,341	¼ & 1	2 4 6	8 18 –
1*d.*	126 9 9	„ - - - - -	22,802	1¼ & 2	57 – 1	75 3 5
		„ - - - - -	2,217	3	11 1 8	11 1 8
„	120 9 11	Iron Ore - - - -	28,919	1½	72 5 11	96 6 7
		Class B.—0·60*d.* *per ton per mile.*				
½*d.*	– 6 11	Bricks - - - - -	166	1½	– 12 5	8 – 9
„	51 10 8	Sulphur Ore - - -	24,740	„	92 15 6	123 14 –
„	9 2 11	Lime - - - - -	4,394	„	16 9 6	21 19 4
6*d.*	80 18 9	White Salt - - - -	3,237	¼	2 – 3	8 1 –
2*d.*	4 10 2	Acid - - - - -	541	3	4 1 1	4 1 1
„	54 9 6	Patent Manure - - -	6,537	2⅝ & 3	44 18 –	49 – 6
		Class C.—0·70*d.* *per ton per mile*				
½*d.*	10 13 1	Bones - - - - -	5,115	1⅝	24 10 2	29 16 9
1*d.*	68 4 –	Salt Cake - - - -	16,368	1¼	74 16 4	95 9 7
		Other Articles - - -	1,349	1	3 18 8	3 18 8
2*d.*	222 4 6	„ - - - - -	15,433	1½	67 10 4	90 – 6
		Grain - - - - -	9,885	3	86 9 10	86 9 10
	£778 16 2				£573 19 –	735 18 7

Mr. *Moon*—continued.

6512. That first table shows the present tolls, the amount you receive, the class of article, the points the traffic arises between, the mileage, the toll per ton, and the amount which the Board of Trade would give you?—Yes.

6513. Your present tolls are 43,435*l.* for the year ending 31st March 1893?—Yes.

6514. The next figure at the bottom totalled up is 41,374*l.*?—Yes.

6515. What is that?—That is what the toll proposed by the Board of Trade would give if there were no limit placed upon any of the individual tolls in that column. You will see by the Table, if 0·60*d.* a ton were charged on salt it would come to 11·40*d.* from Winsford, but that is limited to 9½*d.* by the proviso in the Board of Trade proposal.

6516. Dealing with salt, your present income is 31,000*l.*; the Board of Trade proposal without any limit would give you on the mileage basis 27,329*l.*?—That is salt, yes; without limit 27,329*l.*, and with the limit 23,405*l.*

6517. Between Winsford and Weston Marsh the limit knocks you down from 22,569*l.* to 18,807*l.*?—Yes.

6518. The total at the extreme right of the page amounts to 37,019*l.*; does that show what your revenue would be if the whole of the Board of Trade proposal were applied to it, that is to say, the mileage toll *plus* the limitation?—Yes.

6519. That would have knocked you off in 1893 6,000*l.*?—Yes. I may say there, as regards the 2,052*l.* in the extreme right column, there would be a reduction from that, because the trustees do not necessarily propose charging 6*d.*

6520. The Board of Trade give you 762*l.* for coal, from which you now receive 646*l.*; do you think you could possibly get that?—No.

6521. I see the coal passes 19 miles and 13 miles?—Yes.

6522. And it goes now for 6*d.*?—Yes, 6*d.* for 30 cwt.

6523. So, if you rednce it to avoirdupois, it goes at 4*d.* a ton for 19 miles?—Yes.

6524. Which, of course, is a very low toll?—Yes.

6525. It comes to ·20*d.*?—Yes.

6526. So that the difference between 646*l.* and 762*l.* is not a difference you would be able to obtain in actual fact?—No, it is not.

6527. Suppose you were put on the mileage basis as regards coal; do you think you would still continue to get the 646*l.* which you at present receive?—No, because coal would come in other ways on the navigation.

6528. Coal now pays you 4*d.*, whether it uses a mile of your navigation or the whole distance?—Yes.

6529. Would coal be delivered by rail, or would it use your canal if a mileage toll was imposed?—A good deal of this coal is used at Anderton, where there are salt works. Instead of coal coming up from the Weston Canal, which it now does, and even from the Mersey and along the navigation to Anderton, it would come by rail; there is a coal tip at Anderton, to which point it would come probably by rail, and be tipped into flats there, and go anything under 500 yards to the works which now take it.

6530. So you would lose the 646*l.*?—Yes; we would get whatever was the mileage just for the little distance.

6531. If you are to carry the navigation on, can it stand having the tolls reduced in the way in which the Board of Trade have proposed a reduction of them?—It cannot.

6532. Taking even the result of the proposal of the Board of Trade without the limitation, that is to say, 41,374*l.*, do you think you would get that toll if a mileage basis were introduced, and, instead of charging an all-over toll, you charged more to Winsford than to Northwich?—Certainly not; apart from the fact that unless we were protected at the Weston Canal, we should lose nearly all our salt toll.

6533. Suppose even you were stopped in your Weston Canal protection, would the effect of charging a higher toll to Winsford than to Northwich be to increase the production of salt at Northwich and decrease it at Winsford?—Yes.

6534. So you would not get the tonnage to pass from Winsford to Weston Marsh which now passes?—No; the outside traders, who are doing an increasing trade year by year, would practically stop working, because the Salt Union, who own all the salt works, except those carried on by the outside traders at Winsford and Northwich, would compete against them, and they would be forced out of the field. Those industries would be entirely handicapped if the mileage system was adopted.

6535. It would give the Salt Union an undue preference over these unfortunate outside traders at Winsford?—Yes.

6536. Do you attach great importance to the maintenance of an all-over toll upon the navigation?—I regard it as of vital importance.

6537. I do not ask you any questions about the Weston Canal. Is it important to have a continuation of the protective toll which Parliament has already introduced upon traffic which uses that Weston Canal?—It is.

6538. On salt?—On salt.

6539. And you ask the Committee to continue to you the tolls you are at present charging upon the Weston Canal as well as upon the other portion of the navigation?—That is so.

6540. The proposals of the Board of Trade as regards the Weston Canal would considerably reduce your revenue upon that part of your navigation, would not they?—They would reduce the revenue of 1893 from 778*l.* 16*s.* to 573*l.* 19*s.*

6541. So there would be a loss of 200*l.* upon that part of your navigation?—Yes.

6542. That is as nothing compared with what the effect would be upon the salt trade, and, therefore, upon the salt which uses your navigation, if brine could be carried to the Weston Canal and shipped from there?—That is so.

Sir *William Houldsworth.*

6543. We have heard of the Runcorn Weston Canal, as well as the Weston Canal; will you point out the Weston Canal, and also the Runcorn Weston Canal? (*The Witness points them out.*)

6544. What

Chairman.

6544. What is the toll on the Weston Canal?—For certain things ½*d.*, for certain others 2*d.*, and for salt 6*d.*

6545. You are now asking that the tolls which you charge on the Weston Canal should be continued?—Yes, the ½*d.*, 2*d.*, and 6*d.*, and 1*d.* on coal.

Mr. *Moon.*

6546. You are also asking to have the protection which you got for salt granted to you in relation to chemicals?—Yes.

6547. When the 1866 Act was passed chemicals were not made on the Weaver, and so chemicals did not come into consideration?—That is so.

Cross-examined by Mr. *Littler.*

6548. With regard to the Weston toll, is not it the fact that the consequence of your bar-toll is, that the salt from Weston goes by another navigation?—It goes by the Runcorn Docks.

6549. It does not use your navigation at all?—It does not, except a small quantity.

6550. If the salt workers choose to remove their works down, what is to prevent their doing the whole of their trade by way of Runcorn?—Nothing whatever, except the difficulty of getting full-sized boats to do their trade satisfactorily by that route.

6551. The only difficulty is the size of the boats?—That is a considerable difficulty.

6552. The distance is very short to the Ship Canal, and then you get right away to Liverpool?—If they can get boats to their works.

6553. The Weston people do get boats to their works at present?—They get boats of 70 tons and 100 tons to their works now.

6554. They have their brine pipe, and they could use it to any extent they liked, and never come on your navigation at all?—As far as I know that is so.

6555. Then what is the use of the bar-toll? In order that the facilities of the Weston Canal may not be used for nothing, and that the Weaver toll may be maintained, and that the district in which the salt is produced may be maintained.

6556. The result of it is that whatever salt they make they send by another navigation, and you lose the toll?—At the present moment that is so.

6557. Do you know how long all their leases are at their existing works?—No.

6558. You do not suggest that simply for the purpose of availing themselves of your canal rather than the one which exists they would sacrifice all their existing works and go down there?—They need not sacrifice their existing works.

6559. What stops their doing it now if they would not have to sacrifice their existing works?—I cannot tell you why they have not done it.

6560. Have you any idea what the works of the Salt Union have cost them?—I have not.

6561. Have you any idea what length of lease they have got of the lands from which they get their salt?—No, I do not know that.

6562. You know it would not be possible for them to take the whole of their salt down the brine-pipe if they were so minded?—I am advised they could.

Mr. *Littler*—continued.

6563. By whom have you been so advised?—Our engineer can speak to that; he has gauged the capacity of the pipe, and I understand from him that the capacity of the pipe is such that it could take the whole of their brine.

6564. Other people besides the Salt Union have rights in it, have not they?—They have no conditions, I believe.

6565. With regard to the salt itself, as your figures show, there has been a very serious falling off in the salt which you carry, has there not?—There has in late years.

6566. Do you know that the salt people themselves attribute that partly to the toll which they have to pay?—I know they say so.

6567. Have you any reason to doubt that that is true?—They can deliver salt in Liverpool.

6568. Have you any reason to doubt that that complaint of theirs is true?—It is impossible to say that it is not true. The toll which we charge, no doubt, has led to some shrinkage in the salt trade.

6569. And it is the fact, is it not, as you told me before Mr. Pelham, that there is a diminution between 1884 and 1891 of thousands of pounds?—The Table put in will show that.

6570. And is this what you would say, that any increase of the salt trade in future will perhaps, in a large measure, depend on the facilities which could be given to the salt districts of Cheshire to deliver their salt in larger quantities and at less expense in delivery to Liverpool, which is the point of shipment?—Yes.

6571. And it is necessary, is it not, that Cheshire should be able to compete with Middlesborough and Fleetwood and with Germany?—Yes.

6572. With regard to competition with Middlesborough, you could not give me the figures when we were before Mr. Pelham; have you got them now?—I have got the figures for Middlesborough.

6573. I will put one or two figures to you. Is it the fact that in 1886——?—I begin with 1887.

6574. Before 1886 there was no salt at all, was there, exported from Middlesborough and West Hartlepool?—I cannot say.

6575. You know this perhaps, that by the year 1892 the salt at Middlesbrough had increased to 76,000 tons?—I have got these figures, Middlesborough salt in 1892, 50,415 tons; this is from the Official Blue Book.

6576. We make it 76,000 from the same book. Is it the fact that in 1886 from Hamburg and Bremen there was not a single ounce of salt exported?—I do not know.

6577. Nor from Middlesborough?—I do not know.

6578. In 1892 was there as much as 238,000 tons exported from Hamburg and Bremen?—I do not know.

6579. At all events you will agree with me that Weaver salt is now subjected to a very serious competition both at home and abroad?—It is.

Mr. *Littler*—continued.

6580. And prices have fallen very much?—So I have heard. As Middlesbrough has been quoted I may say that the Salt Union have got there own works there, so they are competing with themselves there.

6581. Are you aware that the Salt Union works at Middlesbrough are only one-fifth of the whole of the works in Middlesbrough?—I do not know.

6582. It is not much consolation to a man to be doing a good trade at one place if he does considerably worse at another. It is also the fact, is it not, that Middlesbrough can demand higher prices for salt than Liverpool?—I do not know that.

6583. With regard to your returns for last year, it is the fact, is it not, that last year your revenue was very much affected by the coal strike?—It was to some extent, undoubtedly.

6584. So it is hardly a typical year. You have borrowing powers altogether of 480,000*l.*, have not you?—£400,000.

6585. You are quite right; they are all properly described in your Act of last year. You had power to borrow under the Act of 1866 200,000*l.*?—Yes.

6586. As regards that, you had no limit of time for paying it back. You may borrow on mortgage, and re-borrow, and do anything you like?—Yes.

6587. How much have you borrowed under that Act?—No money was borrowed till 1877.

6588. In 1872 you got power to borrow another 50,000*l.*?—Yes.

6589. In 1877 you got power to borrow 150,000*l.*?—Yes.

6590. Until the Act of 1877, is there any limit whatever as to time for repayment?—I think not.

6591. Then as regards the 1877 Act, and as regards that only, you are limited to 40 years?—Yes.

6592. That is 150,000*l.*?—Yes.

6593. You have altogether borrowed 280,000*l.*?—That is so.

6594. Has any of that been repaid?—Yes. The sum on the 31st March last was 204,094*l.*

6595. Is the whole of that borrowed on terminable annuities?—Yes.

6596. When do they terminate?—£90,000 in 1907; 40,000*l.* in 1908; 25,000*l.* in 1909; 50,000*l.* in 1917; 60,000*l.* in 1918; 15,000*l.* in 1919.

6597. According to that you have 115,000*l.* that does not terminate till 1917?—£125,000 falls out in 1917, 1918, and 1919.

6598. And what in 1978?—£. 907*l.* 8*s.* 9*d.*; 155,000*l.*

6599. You say at the present time you only owe 204,000*l.*?—That is the capital sum reduced year by year, in proportion, as the time runs on. The amount out of the 16,200*l.*, the present charge for capital and interest repaid, 5,487*l.*, will stop in 1907.

6600. If you only owe 204,000*l.* now, upon what principle do you calculate your annuities so as to pay off such an amount as you speak of, 115,000*l.* and 135,000*l.*?—That is our total amount, it is reducing year by year; I have not made up the Table showing what the proportion is owing to the actual payments.

Mr. *Littler*—continued.

6601. Did you redeem any annuities from year to year?—Yes, in Statement B. in 1893, you see 6,932*l.* was paid off, and in 1894, 7,242*l.* will be paid.

6602. If you choose you need only pay the annuities, and not relieve the principal sum?—You must do both; pay off the principal sum and the interest year by year according to the deed.

6603. I cannot follow this at all. Do you say that you will have to pay notwithstanding that you are redeeming every year those large sums at the end of ten years?—No, what I say is this: supposing half the sum of the 125,000*l.* of annuities is paid off, then you will have half the 125,000*l.* capital still to pay. At the end of half the time under your 40 years' annuities you get to a balance of capital and interest being paid off; you would, therefore, have reduced your capital one-half, and your 125,000*l.* becomes 62,500*l.*, which would be the amount then owing.

6604. You originally borrowed 280,000*l.*?—Yes.

6605. And paying, according to the length of the time that the annuities have to run, some of the principal each year and all the interest?—Yes

6606. And you have reduced the 280,000*l.* down to 204,000*l.*?—Yes.

6607. What will you owe in 1907?—I cannot give the figure now.

6608. You will not owe anything like the sum that you named to me?—No, certainly not. I can give you the annual amount that the 16,200*l.* at present paid will be reduced to. In 1907, when 90,000*l.* fall out, the 16,200*l.* will be reduced by 5,487*l.* 7*s.* 10*d.* a year.

6609. Have you that in a Table?—They will give you one.

6610. You borrowed in 1877, on the 2nd of October, 30,000*l.* for a term of 30 years, and you have to pay in order to extinguish that in annual payments, principal, and interest, 1,832*l.* yearly?—Yes.

6611. What do you calculate your interest at, because 30,000*l.* is a large sum to pay off in 30 years?—Four per cent. is the lowest, in 1888. The moneys in 1888 and 1889 were borrowed at that amount, and the others are 4*l.* 7*s.* 6*d.* and 4*l.* 10*s.*

6612. Then in 1877 again you borrowed 50,000*l.* for 40 years?—Yes.

6613. Those fall out 1917 and 1918?—Yes.

6614. Can you tell me what, after the year 1907, the debt will be?—I cannot tell you at the moment.

6615. What is to prevent you converting those annuities as so many other people have done?—Convert them, in what form?

6616. By putting them into a longer period; I put to you this first: is it fair that the present traders should be paying so that, practically, by 1907 the Weaver will be almost free, and by 1917 it will be an absolutely free navigation?—I did not catch that question.

6617. Is it fair that the present trader should be so saddled with tolls, especially when his business is in a bad condition, so that the canal, in the time of his children, may be a free canal?—Those

Mr. *Littler*—continued.

—Those are the conditions upon which it has been working for a number of years.

6618. Is that fair?—Yes, I think so, under the circumstances.

6619. We will have to differ; have you seen our estimate of the difference of revenue between our proposal and the Board of Trade's proposal?—It is made out in a statement handed in.

6620. Which of those two do you prefer, suppose you cannot have your own way?—I prefer the Salt Union, because that gives us the most toll.

Cross-examined by Mr. *Cripps.*

6621. I have some questions to ask you particularly upon your figures; will you take this list of figures which you put in on this Table showing your expenditure in 1893 and 1894; first of all the thing we are dealing with under the Board of Trade Schedule is the question of tolls?—Yes.

6622. Take your 1893 Table, "Income and Expenditure Accounts." You see what you have got there net for your tolls in 1893, after deducting what you call mud tolls and deducting drawback, is 42,233*l.*?—Yes.

6623. Therefore, taking your own figure, what you actually got and lying outside the exceptional item was 42,233*l.*?—Yes.

6624. And also, to get it clear, what you could get under the Board of Trade proposals, subject to any deduction that you suggest as regards particular traffic that you give us as 37,019*l.*?—Yes, as shown in the Table.

6625. Therefore we should have to deal with the difference between 42,233*l.* and 37,019*l.*?—As between the Board of Trade proposal and the actual receipts.

6626. That is just about 5,024*l.* a year?—Yes.

6627. Therefore, applying the Board of Trade proposal to your figure in 1893, and your receipts for that year, it would give 5,024*l.* less than your actual receipts?—Exactly.

6628. Now, to see the effect of that upon your balance sheet we will turn to it. If you look at the bottom of your balance sheet for the same year, 1893, you see there annuities repaid, 6,931*l.* 12*s.* 4*d.*; bonds, 10,000*l.*; balance carried to new works account, 2,273*l.* 17*s.* 7*d.*?—Yes.

6629. Those three items added together come to 19,205*l.* 10*s.* 11*d.*?—Yes.

6630. None of those items are what you would properly call expenditure upon the ordinary expenditure account against income?—The annuities are.

6631. They have all to do with capital; "Annuities repaid" is a question of capital expenditure; "Bonds" is a question of capital?—The bonds paid to the bank were on current account.

6632. Were not they all repayments upon capital account?—I do not think so.

6633. Assuming they are, you had a balance in 1893 of income over expenditure of 19,205*l.*?—No, I cannot agree with that figure.

6634. If I am right?—Upon your basis.

6635. If you take from that the 5,000*l.* in regard to which you say your income would have

Mr. *Cripps*—continued.

been decreased, and my principle is right, you would still have had a surplus sum of 14,000*l.* a year?—Upon that arithmetic.

6636. When you say upon that arithmetic it would be also correct upon a proper principle of accounts?—I do not agree with that.

6637. I will ask you some questions as to 1894; do you really say that you would put as expenditure, under the ordinary head of expenditure, either annuities repaid or bonds repaid?—Bonds repaid I said; it is the security given to the bank for an over-draft; as regards annuities I did not say anything; those were short bonds given to the bank to cover an over-draft made with the bank at first; that is current account, not capital account.

6638. Supposing you pay 10,000*l.* a year in order to pay off the over-draft, are you to take it as a current expenditure item?—Certainly.

6639. Even with that you still have, after repaying 10,000*l.* in this year, an actual surplus of over 4,000*l.* in 1893, upon your own figures?—I do not follow that.

6640. It is perfectly true; it is simple arithmetic?——

Mr. *Pember.*] If you are right as to your suggestion the arithmetic is right.

Mr. *Cripps.*

6641. Now just look at 1894; you have not worked out the Board of Trade Returns in 1894?—No.

6642. And, therefore, we could not make the same comparison absolutely in 1894?—No, I have not got that figure here though I worked it out.

6643. What is the difference between your net tolls after taking the drawback in 1894 which you actually received, and what they would be upon the Board of Trade proposal?—The net income for 1894 is 38,822*l.*

6644. I do not want to get off into outside matters; what were the net tolls in 1894 after allowing for the drawback and mud?—£38,822.

6645. That is on the first page?—Yes.

6646. Supposing you applied the Board of Trade proposal, what would the amount have been?—To the best of my recollection it should be 34,800*l.*

6647. Therefore, there would be 4,000*l.* difference in that year, whereas it was 5,000*l.* difference in the year before?—It would be 4,000*l.* difference.

6648. We have got your balance sheet, have we not, for 1894?—Yes.

6649. If you look at your balance sheet you see you have sufficient for all your working expenses, and bring in the ordinary sums annuities repaid, 7,241*l.* 15*s.* 10*d.*; balance carried to works account, 860*l.*; therefore you have a balance there of over 8,000*l.* a year?—On those figures that is so.

6650. Suposing you had 4,000*l.* cut off even on the 1894 amount, you would have had a balance of 4,000*l.* a year to deal with?—No, certainly not, for the reason that the annuities must be paid year by year, and you cannot take a balance you have not.

6651. If we take the balance of the annuities

Mr. *Cripps*—continued.

as capital payment, you would then have had 4,000*l.* in hand as between the ordinary expenditure and income account. Now, one question about the annuities; do you mean to say that you cannot deal with annuities like any other capital, and borrow against payments off?—No.

6652. Why not?—In paying off annuities you enter into an agreement; you pay off over a certain number of years.

6653. Why cannot you borrow to meet it?—To change the annuities into what?

6654. No, repay the annuities just as they are, and borrow to meet repayments; why cannot you do that?—Because we have no margin to borrow with.

6655. You had a margin of 14,000*l.* in one year and 8,000*l.* in another?—I do not agree with that.

6656. Apart from the principle, the figures speak for themselves?—As put by you in your argument.

6657. I want to ask you one or two questions about chemicals. If you look at what is called page 6 with regard to the tolls proposed by the Board of Trade Provisional Order, taking chemicals, the Board of Trade gives no reduction on existing charges, but a slight increase?—On chemicals they turn 8*d.* into 8½*d.*

6658. As regards salt you see the Salt Union or the people interested in salt would pay 7,000*l.* a year less under the Board of Trade proposals than they pay at the present time?—Yes, than they paid in 1893.

6659. The result of your figures is to show that they leave chemicals as they are, and take 7,000*l.* a year off salt?—Yes, generally.

6660. I do not quite understand how that being so, you say that the Board of Trade proposals will in any way cripple the Salt Union or the salt trade if they get the benefit of 7,000*l.* a year?—I never said so.

6661. As regards the 8*d.* now charged for chemicals, it has been charged for the last 20 years, ever since they were established, has it not?—It has been established ever since they were upon the river since 1874.

6662. And their criticisms are accurate with reference to the different navigation charges to Brunner, Mond, and Company, and certain works at Widnes?—Yes.

6663. Is there any toll at all between Widnes and Liverpool?—Yes.

6664. What is it?—Not toll.

6665. The toll, I believe, as between Brunner, Mond, and Company and Liverpool is 8*d.*?—Yes.

6666. Therefore, dealing with the toll alone we pay 8*d.* toll, whereas Widnes is toll free?—Upon questions of tolls only, yes.

6667. That would apply to all works where one works has a better geographical or natural position than another, every other point that you raise would apply to that?—Yes, Messrs. Brunner, Mond, and Company came upon the river and have benefited ever since they came.

6668. Dealing with rates and tolls, do you say that you should always adjust or raise them so that the best situated industries should be reduced to the worst situated industries?—No, but everything should pay according to what it could bear.

Mr. *Cripps*—continued.

6669. You say that you went before the Board of Trade as regards your proposal to raise our tolls from 8*d.* to the highest figure?—Yes.

6670. Did Sir Courtenay Boyle tell you that if you attempted to do it he would at once make a report to Parliament in order to hurry on the case before the Committee?—Yes.

Chairman.] I do not think it is important what Sir Courtenay Boyle said.

Mr. *Cripps.*

6671. It was suggested that there was another reason?—The trustees in proposing to raise the tolls were under pressing needs at the time, and it was forced upon them to take what action they could to obtain the powers they have.

6672. Only one other question as regards the figures of 1894; we know that the receipts upon one side are affected by the coal strike?—To some extent, yes.

6673. Your expenditure upon the other side is out of all proportion to the expenditure in former years, looking to the similar condition of the traffic?—I cannot speak as to anything before 1892. In 1891 and 1892 they were below normal, in my opinion.

6674. Look at Table "B.," you see that the general expenditure under the head of Repairs and Maintenance has never been so large in 1894 since the years 1884 and 1885?—That is so, and I have explained why.

6675. And in the years 1884 and 1885 the tolls net were 63,000*l.* and 61,000*l.*, against 39,000*l.*?—Yes.

6676. I see in the other years, except those very exceptional years, the expenditure has very direct reference to your tolls; taking your own figure, it is not exactly analogous, but they vary in proportion to the tolls you receive, except in this one exceptional year?—The expenditure in 1894 has been necessary for the needs of the navigation.

6677. I say, except in the somewhat exceptional year of 1894, in all the other years you had to find the ratio between the expenses under the head of repairs and maintenance and the receipts under the head of tolls net?—I do not find that.

Cross-examined by Mr. *Whitehead.*

6678. I am going to ask a few questions with regard to the Northwich trade on behalf of Messrs. Bowman and Thompson and the Northwich traders. You spoke of the tolls upon coal. I understood you to say that the effect of the Board of Trade figures would be this: that coal would be brought by rail to Anderton?—To the Winnington coal tip.

6679. In consequence of the Board of Trade Schedule, the navigation would lose some tolls in that way?—Yes.

6680. Let me refer you to your own Table in regard to the coal. I see the toll upon coal is 6*d.*?—For 30 cwt., yes, long weight.

6681. Whereas the Board of Trade give a toll between Winsford and Weston Marsh of 5·80*d.*?—Yes.

6682. And

Mr. *Whitehead*—continued.

6682. And between Northwich and Weston Marsh 4·60*d.*?—Yes.

6683. Take the Northwich figure; how can a reduction of tolls from 6*d.* to 4·60*d.* drive the traffic from the navigation on to the railway?—Because if the tonnage rate proposed by the Board of Trade came into force the advantage of the mileage would be adopted, and, as a large quantity of coal which comes up the navigation is used close by Winnington and round Anderton, and as the Winnington coal tip is only across the river, they would get a lower railway rate to that tip, and if they have half a mile, or at most a mile, they pay a ½*d.*, and so save 3½*d.*, which they now pay going up the navigation.

6684. It would encourage the coal to come on to the navigation if you got a lower toll?—Except that they could not now bring coal in the quantity you see here; all other works are already served by the railway, the rate by which is low, and we should not increase our trade in consequence.

6685. They could bring their coal by railway now, could they not?—They prefer to pay 4*d.*, bringing it to the Winnington coal-tip under the mileage proposal, and pay a halfpenny.

6686. The coal pays 6*d.*?—For 30 cwt.

6687. If it pays 4·60*d.* in future it will continue to pass?—Not on a mileage toll, because they get the benefit.

6688. With regard to the coal your Table put in yesterday shows that there has been a gradual diminution; in the year 1866 you received in tolls 5,265*l.*?—Yes.

6689. Then it goes up from that year up to the year 1872, that is the maximum, 7,067*l.*?—Yes.

6690. From that time onwards you have a gradual diminution till you come down to 500*l.*?—Yes.

6691. Is it not the fact that, in the year 1871 the traders on the navigation represented to the trustees that unless they gave more favourable tolls for coal that traffic would leave the canal; let me read the letter; here is a resolution passed in the year 1871, at the time when you were taking your highest tolls——

Mr. *Pember.*] That is 20 years before this gentleman was appointed. This gentleman cannot speak to a resolution 20 years before he was appointed.

Mr. *Whitehead.*] He has been telling us a great many things happening before 1892.

Chairman.] No; he qualified it, and said he could speak with certainty since 1892.

Mr. *Whitehead.*] I want to show that, in the year 1871 the traders represented to the trustees that unless they reduce their toll upon coal that coal traffic would leave the navigation; their own Table shows that it has left the navigation.

Chairman.] How can you get that from this gentleman?

Mr. *Whitehead.*] I refer to the Resolution and the letter sent to the trustees in 1871, and to the letter that the trustees sent back to the traders in reply, saying that, "It is not expedient that the application for a reduction of the tonnage on coal should be at present acceded to."

Chairman.] If you like to read the letters, read them; but if you ask whether this gentleman knows anything about them he will tell you no.

Mr. *Whitehead.*

6692. (To the *Witness.*) The Northwich carrying company brings, do they not, potters' materials from the Trent and Mersey Canal along to Anderton Lift, and carry them up their navigation to the mills at Northwich?—Not to my knowledge.

6693. Is it not to your knowledge that to a large extent the navigation have given special tolls in respect of that traffic to the Northwich carrying company?—For potters' materials?

6694. Yes.—Not to my knowledge.

6695. Did it happen before 1892?—Will you explain it; I know nothing of it.

6696. Have not you given special tolls with regard to the traffic from Staffordshire to the wharf of the Northwich carrying company?—No, not to Staffordshire; to Bowman and Thompson and Company, traders on the Weaver.

6697. The Northwich carrying company carry for Messrs. Thompson and Company?—Yes.

6698. Have not you given special tolls for that?—To get fresh traffic upon the river I have.

6699. If you carry your amendment you will be able to put up your tolls upon that?—Yes.

6700. Do you propose to do so?—It is not proposed by the trustees of the River Weaver Navigation to charge more than the traffic can stand. If the traffic will not stand it, it will not be charged.

6701. If it can stand it, it will be put up?—It does not naturally follow.

6702. Messrs. Bowman, Thompson, and Company have recently erected, between the years 1891 and 1894, works at Northwich, at a cost of a quarter of a million of money?—They have.

6703. And they have done so on the faith of their existing toll of 8*d.*?—I cannot agree to that. They have done it upon the faith of the existing power of the trustees; the toll was 8*d.*, and has been 8*d.* since they came here.

6704. When the Manchester Ship Canal Company were promoting their Bill in Parliament the trustees obtained, did they not, a special clause for the protection of salt and potters' materials coming down the Weaver and then into the Mersey?—They did.

6704. And under that clause those two articles, salt and potters' materials, from the Midlands, can traverse all the Ship Canal, from Frodsham Bridge to Eastham, free of toll?—No; salt can, but potters' materials have certain limits. They can come up there to 400 tons.

6706. Salt has that privilege?—Yes.

6707. But you do not seek that privilege for chemicals and goods?—No; because chemicals and goods did not come to the trustees to say they wanted anything. The salt trade and the pottery trade made their representation to the trustees and got special clauses; the chemical trade did not. If they had, perhaps, similar clauses would have been got for chemicals.

Mr. *Whitehead*—continued.

6708. Can you tell me from what points the bulk of the salt trade now comes?—That goes down the Weaver.?

6709. Yes?—Winsford.

6710. The salt trade, as a whole, has been decreasing of recent years, has it not?—It has.

6711. And decreasing from Northwich?—Yes, principally, because the subsidence has been greater at Northwich than at Winsford.

6712. But the salt manufacture is tending under the existing tolls to increase at Winsford, and decrease at Northwich; is not that so?—Only through the subsidence of these works. But owing to the reduced quantity claimed by the Salt Union they are able to make a difference at Winsford.

6713. Is not Winsford nearer the coalfields?—The rate from the coalfield to Winsford and Northwich is the same.

6714. Is not the manufacture of salt at Winsford cheaper than it is at Northwich?—I believe so, though I do not know of my own knowledge.

6715. As regards the general decrease, it is within your knowledge that within the last six months, between January and June this year, there has been a large increase in the quantity of salt?—In the tonnage, yes; there has been 60,000 tons.

6716. The trustees have spent a large sum in recent years upon improved works, for the benefit of the navigation, have they not?—Yes.

6717. Is the money spent at the suggestion of the salt manufacturers and for their benefit?—To improve the river throughout gradually, beginning at the lower end of the navigation and going up to Winsford.

6718. That was done at the suggestion of the salt manufacturers, was it not?—I cannot say that. I daresay it was. I was not there.

Mr. *Pember.*] Certainly, that is so.

Re-examined by Mr. *Pember.*

6719. In point of fact the making of these swing bridges was for the express purpose of keeping open the communication between Winsford and the lower reaches of the Weaver, was it not?—Yes.

6720. Just one or two points occur to me to ask you as to this 10,000*l.*, which you paid off to your bankers. I understand you had got gradually into debt with your bankers to the extent of 10,000*l.* Was that for items on annual expenditure?—Yes.

6721. They asked for some security for that overdraft?—They did.

6722. And you gave it them in the shape of bonds?—Yes.

6723. So that in getting rid of the 10,000*l.* in the year 1893, you got rid of an item of annual expenditure for which yon were in debt to your bankers?—Yes.

6724. With regard to the 49,000*l.*, it is suggested that in the year 1894, taking your expenditure at 45,000*l.*, you would still have 49,000*l.* to meet it?—Yes.

6725. Am I right in this: Of course, that 49,000*l.* contains a factor or constituent of the 39,689*l.*, the net tolls?—That is so.

Mr. *Pember*—continued.

6726. Those net tolls are based upon the assumption that you got your present powers of charge?—Exactly.

6727. They are the result of your present powers of charge?—Yes, without any increase or anything.

6728. And without diminution of the Board of Trade proposals?—Yes.

6729. What further swells the 42,000*l.* has been the addition of 6,060*l.* as income through docks and rents?—Yes.

6730. But that has to be taken off, because ultimately there is an item of expenditure for docks of 6,446*l.*?—Yes.

6731. So that there is a net loss of very nearly 400*l.* in that item?—Yes.

Mr. *Cripps.*] If you take it upon both sides it is not so. I excluded it from both sides.

Mr. *Pember.*

6732. In the 6,060*l.* the income upon docks and rents is equally lost, and goes to swell the 39,000*l.* to 49,000*l.*?—Yes.

6733. There is an exceptional item of 4,027*l.*?—Yes.

6734. So that to get back to what your net income for the future, even if left as you are, would be if you were no better off than in the year 1894, you would get not 49,000*l.*, but 39,000*l.*?—Yes.

6735. My learned friend suggests that there was a uniformity between your repairs and your expenditure; your repairs and maintenance and your receipts?—Yes.

6736. Now, let us see. In 1887 your net tolls were 56,300*l.*?—Yes.

6737. Was your expenditure for repairs and maintenance and so on in that year 23,800*l.*?—Yes.

6738. In the following year I see your net tolls had fallen very nearly 5,000*l.*?—Yes, they were 51,699*l.*

6739. Your figure for repairs and maintenance had gone up 100*l.*, from 23,800*l.* to 23,900*l.*?—Yes.

6740. Again, in the next year the expenditure went down from 23,900*l.* to 22,400*l.*?—Yes.

6741. And your receipts went up from 51,600*l.* to 52,100*l.*?—Yes.

6742. Passing, therefore, from the Table, is it possible to regulate the money that you spend in repairs and maintenance year by year by the amount you receive in tolls?—Absolutely, no.

6743. These are the items: Towing-path, river banks and walls, basins, locks, clowes, and bridges?—Outlets and sluices.

6744. Dredging, steam and other boats, buildings, engines, machinery, and plant, yard expenses, land drains, ice-breaking, and Winnington tip expenses; can you make those in any way proportionate to the amount of traffic that you do?—I cannot. I will give you an example. Last year a slip began to take place in the high bank in the Winsford Pond, and the Salt Union had large works upon the top of the bank. The obligation of the trustees was to maintain the banks of the river, and apart from whether they did it for the benefit of the Salt Union or themselves, they did it for both. A lot of piling had

to

Mr. *Pember*—continued.

to be done, which was necessary, not only to preserve the banks, but to maintain an important navigation. It cost between 500*l.* and 600*l.* It came on suddenly; the slip began to show, and had to be dealt with at once.

6745. And you must deal with it whether it is a bad or a good year?—Yes; and you never know when it may happen.

6746. As to whether it be proper to treat the repayment of annuities as capital expenditure is a matter of argument; you let drop something about salt being cheaper to make at Winsford?—I was asked the question, and I said I believed it was slightly cheaper; but I cannot give the figures.

[The Witness is directed to withdraw.

Mr. *Pember.*] Your Grace, the only other witness I think I should care to call would be a representative of the Aire and Calder, but I understand your Grace has expressed the opinion that you will not go into comparisons between one canal and another.

Chairman.] No, I think that would be very inconvenient because we should have to go into all the circumstances of the other canal. We ought to deal with this question upon its merits.

Mr. *Pember.*] I think so, your Grace, with the greatest possible deference; therefore, if I am safe that the sauce applied to one bird shall be applied to another I am content; but I think the same sauce ought to be applied; therefore my learned friend has no right to deal with the rates upon the Aire and Calder or this, that, or the other canal.

Mr. *Littler.*] I shall have something to say to that, because the Aire and Calder were taken as typical unless there was a special distinction, there was the Aire and Calder, and the Leeds and Liverpool.

Chairman.] When was it taken?

Mr. *Littler.*] Last year. What I propose to do, so far as I have anything to say to you, will be to show that these are schedules which have been thought reasonable for all inland navigations practically, and if there is any difference the difference is for these gentlemen to show it, these are actual schedules.

Mr. *Pember.*] Your Grace understands the point, and will decide it.

Chairman.] We must deal with the question that is put before us without any reference tothe figures of the Aire and Calder, because unless we could hear all the evidence put forward upon all points of the Aire and Calder it would be impossible for us to draw a proper comparison. We want to deal with this question as it is put before us.

Mr. *Littler.*] The result will be that I put figures which appear to be identical with the figures of the Aire and Calder, and I present them, because we think they are suitable to this canal.

Chairman.] You may put any figures before us that you like, but you must not tell that you take them because they come from the Aire and Calder.

Mr. *Littler.*] It would necessitate an exact inquiry into all the circumstances. But we are in this position, that the Board of Trade, both in regard to railways and canals, has wished as far as possible to have uniformity, and but for that we should have been most of us asking for gross tolls all round; the Board of Trade desire mileage and uniformity as far as possible, and we present it as being a Schedule which is an absolutely good Schedule for these particular circumstances. As a matter of fact, it happens to be that of the Aire and Calder.

Chairman.] We are happy to hear all that the Board of Trade say, but we do not bind ourselves to agree with everything that the Board of Trade says; we use our discretion, and apply our own discretion to it.

Mr. *Pember.*] I am content with the declaration your Grace has made, feeling certain that if anything should turn up hereafter rendering it fair to me to call the gentleman in question, I shall call him.

Chairman.] We shall do justice to you and to everybody; that is the object of our being here.

Mr. *Pember.*] Then that is my case.

Mr. *Cripps.*] I will address the Committee first on behalf of Brunner, Mond, and Company, Limited. I will say at the outset that the basis of my case is the same as that of my learned friend Mr. Pember's. We desire this navigation to have sufficient income for extension on immediate questions of repair and maintenance, and the difference between us is more upon the interpretation of figures or upon any other point, because as I pointed out in cross-examination according to our interpretation of the figures the Board of Trade have given an ample margin. I should like to say this in dealing with Mr. Inman; I shall not apply the scathing criticism to him which my learned friend Mr. Pember did, because I cannot help thinking that he gave very valuable evidence with regard to the figures he gave this morning. This is really a question of figures and nothing else. The suggestion made on the one side is that the Board of Trade will not give a sufficient margin in order to keep this navigation as a first-rate navigation up, and in order to give a sufficient margin for extension if fresh capital is to be raised. Our case of Brunner, Mond, and Company is that there is ample margin within the Board of Trade figures, and if there was not we should be one of the first people desiring that margin to be given. We do not want the navigation crippled or any of the industries upon the navigation crippled, but we object to Mr. Inman's suggestion that he has come to ask that he should charge us a shilling in future, whereas as a matter of fact we have been only charged 8*d.* in the past, making 3,000*l.* to 4,000*l.* a year difference to us. We say if we can show that that is unnecessary, and that the Board of Trade gives an ample margin for all these necessary purposes, then the Board of Trade Schedule should be adopted. Your Grace, outside the mere question of figures, I will merely call attention to this: that the Board of Trade Schedule leaves Messrs. Brunner, Mond, and Company where they are at the present time in substance. The charge at the present time is 8*d.*; I believe under the Board of Trade proposal we should be

charged 8¼*d*. But, as was shown in the Table put in this morning, Table 6, by Mr. Inman, the Board of Trade figures leave Messrs. Brunner, Mond, and Company where they are at the present time. I do not know whether your Grace has the figures in Table 6. They apply to Class C. What we are, in fact, charged at present under the head of goods and chemicals is 7,756*l*.; does your Grace see that, it is the second column on the left hand side? Under the proposals of the Board of Trade we can be charged 8,377*l*.; therefore, so far as Messrs. Brunner, Mond, and Company are concerned, there is a slight increase in the proposed maxima as against their actual existing charges. But then, if your Grace looks at the condition of salt, you see by the same figure they are now charged 32,781*l*., that is adding white salt and rock salt together; and then, if you look at the right hand column of the account and add the two figures together, that would come to 25,457*l*., which gives them an advantage of somewhat over 7,000*l*. a year. But, your Grace, I say frankly, though my learned friend Mr. Littler sometimes seemed to be a little hard upon Messrs. Brunner, Mond, and Company, we have not the slightest antagonism to the Salt Union, and if it is right that they should have a further reduction by all means let them have it. So far as we are concerned, we are contented with the Board of Trade proposals; those proposals leaving us where we are and giving to the salt industry an advantage of over 7,000*l*. a year.

Now, would your Grace turn to this sheaf of figures put in to-day? Of course, my cross-examination on these figures was when Mr. Verdin was in the box; it was more difficult to cross-examine him, because we had not the actual figure before us. Take the year 1893; you see the net amount received from tolls was 42,233*l*. That is after taking off the exceptional amount put under the head of "Mud Tolls." It is on the first page, the fifth figure on the left hand side; therefore in the year 1893, and under the existing conditions, and taking out the exceptional item of mud tolls, the navigation received 42,233*l*.; and according to Mr. Inman's figures, if you apply the Board of Trade Schedule to the same traffic it will work out to 37,019*l*. Of course the difference between the two figures being just over 5,000*l*. or 5,024*l*. As regards all these other items which have been brought in for the purpose of creating difficulties, dock charges on one side, and dock income on the other, it does not affect the question before this Committee. We can leave them out upon both sides, because the only item of income affected is the item received from tolls, and no other, so that the effect would be as regarded the 1893 account, if the Board of Trade figure were introduced the income under the head of tolls would be reduced 5,000*l*. a year.

Now, before I go to the balance sheet, there is one other item, that is, the item of exceptional income lower down,—I do not want to miss out any point,—7,896*l*. If that had been earned without any corresponding expenditure—and that is sufficient for my argument for the moment—you should also take out of the ordinary account this sum of 7,896*l*., as the sum only earned under exceptional conditions, and I am quite willing to make that allowance in considering whether the Weaver Trustees, under the propasal of the Board of Trade, will have a sufficient income or not.

Now, would your Grace next turn to Table B. before I come to the question of actual figures. If you look under the head of Debts Paid, and Annuities and Bonds, I want to call the attention of the Committee to one figure on Table 2, one of the Tables put in by the Weaver Trustees this morning. It was suggested in 1891, when this 10,000*l*. capital expenditure was paid off, there had been an accumulation against what were properly revenue charges which would have fallen upon the Weaver Trustees; but if you look at the preceding years from 1890 to 1884, you will see a very large item indeed as between income and expenditure, including debts of every sort. Take 1884, 69,000*l*. on one side, and 43,000*l*. on the other, and going down to the year 1890, where you have 49,000*l*. upon one side and 42,000*l*. upon the other, showing that, as between the years 1884 and 1890, when these 10,000*l*. where paid off, which were clearly capital expenditure, there was an ample margin of income and more in order to deal with the ordinary matters of repairs and maintenance, which is inconsistent with Mr. Inman's suggestion that these were repairs and maintenance which ought to have been dealt with in the preceding year. I must do Mr. Inman this credit. In making a statement in reference to a somewhat guiding question of Mr. Pember's, he had already told us that he had nothing to do with this matter before 1892; and though he followed gently the guiding hand of my learned friend, it turned out that he was not himself acquainted with the conditions of the navigation before 1892, and it appears upon the face of the account that there was more than an ample margin in those years in order to deal with the necessary repairs and maintenance. Between the years 1894 and 1890, 85,000*l*. was paid over as surplus income from the trustees to the county of Chester. That is the way that very large surplus income was got rid of. In each of those years there is a very large surplus income indeed. If you will turn to page 4 of the acccounts, and turn to the bottom figure on the expenditure side, you will see that under the head of "Expenditure," in 1893, there is a repayment on capital account, under the head of "Annuities," of 6,931*l*. 12*s*. 4*d*., and under the head of "Bonds," which was clearly a repayment on capital account, 10,000*l*. The balance carried to New Works Account, that is an additional balance in favour of income as against expenditure, is 2,273*l*. 18*s*. 7*d*. Adding those items together you have a surplus revenue in the year 1893 of 19,205*l*. 10*s*. 11*d*. Of that 19,205*l* 10*s*. 11*d*. we ought no doubt to take the 5,000*l*., by which their income would be reduced if you brought in the Board of Trade tolls. That would bring it to 14,000*l*. Then the question arises how to deal with the item of exceptional expenditure, amounting to 7,896*l*., whether we ought to take that into account or not. If you do you still have a surplus income of 6,000*l*. a year; if you do not you have a surplus income of 14,000*l*. a year. That is the simple deduction

deduction from those figures. My learned friend Mr. Pember said the figures were all right; the only question was whether the 10,000*l.* was properly a repayment of expenditure on capital account or not. It must be so. Let us take for a moment that it is not. It is gone; it will never reappear in the accounts in any future year, because the whole 30,000*l.* has been repaid. It does not matter, for my argument, one way or the other, because they will never have to pay that 10,000*l.* again. Of course, as the Committee see, in the year 1894 that 10,000*l.* has disappeared. Therefore, it does not matter much, so far as my argument is concerned, whether you deal with it as expenditure on capital account, or whether you deal with it as expenditure on revenue account. It clearly is expenditure on capital account, but it is gone and you will not have to deal with it again. Taking that 10,000*l.* as gone, you have on the account of 1893 an actual surplus income on the Board of Trade figures at the rate of 14,000*l.* a year. Then, if you deduct that exceptional expenditure you have about 6,000*l.* Is that a sufficient margin to give a navigation of this kind, or is there any reason as against a margin of 6,000*l.* or 14,000*l.* that you should raise the charges as against Brunner, Mond, and Company? Because you remember Mr. Inman was asking to keep the one shilling in order to raise the charges against Messrs. Brunner, Mond, and Company; that was his reason for asking for it. I will not go into his calculations as regards the particulars and conditions of Messrs. Brunner, Mond, and Company's trade. It is no reason that you should put a high toll on an industry because the particular industry is in a prosperous condition, and there is no reason why you should tax a prosperous industry in order that the trustees of a particular navigation might have the advantage. It would be a most monstrous suggestion that all the advantage which a particular undertaking got by choosing a good geographical position should be taxed off by high charges on a railway or a canal. There would be an end to selecting the best site for business purposes if people were to be dealt with in that way. That is one of those matters on which probably my learned friend, Mr. Pember, would have wished that Mr. Inman had not given evidence. Now, I should like to say one word on the 1894 figures. According to what Mr. Inman told us, the Board of Trade proposals for 1894 would decrease the net toll income by 4,000*l.* Then, if you look at the accounts for the year 1894, you will see that you have a surplus income of 7,241*l.* 15*s.* 10*d.*

Chairman.] What page are you referring to?

Mr. *Cripps.*] Page 5, and 860*l.* 18*s.* 7*d.* That is a margin of about 8,000*l.* Of course, you do not get as large a margin there as in 1893, but the reason of that is obvious. We are told that the income side in the year 1894 included the period of the coal strike. On the other side, though I agree with Mr. Pember that there is no exact analogy as between income received and the expenditure under the head of repairs and maintenance, yet if you look to Table B. you find there is nothing analogous in the other years down to 1894, to what we find in 1894. The net tolls are, 39,689*l.*; repairs and maintenance, 26,476*l.*; and so extreme is that 26,476*l.*, that Mr. Inman suggests taking only an average of 24,000*l.* If you take 24,000*l.* and turn back to the accounts of 1894, instead of having a margin of 8,000, you have a margin of 10,000*l.* It is clear that the item on the expenditure side 1894, taken by itself, is unduly large. Of course, if instead of putting 26,000*l.* on the expenditure side you take the average as 24,000*l.*, you get another 2,000*l.* to the benefit of the account. In the exceptional year, as we are told, there were exceptional causes whereby the net tolls were somewhat reduced. As against that figure, there again we have the possible question of exceptional sums earned in 1894, and if you allow for that you have still an ample margin. How can it be suggested under those circumstances that a maximum should be fixed, to be made use of in order to put up the charge that has been made for the last 20 years to Messrs. Brunner, Mond and Company, and other traders? We have often heard it said "If you give us a maximum we do not propose to charge the maximum." That is not the case here. It is the first instance where there is the cynical avowal that the power is asked for in order to utilize it against Messrs. Brunner, Mond, and Company. Why should they have to pay another 3,000*l.* or 4,000*l.* a year when you find these large surplus sums in the hands of the trustees? My learned friend said: "Do not starve this navigation." I say, do not starve it; and the Board of Trade, by their proposal, do not starve it; the Board of Trade have given a most ample margin, a larger margin than in any other case, in order that a public body like the Weaver Trustees should be amply protected. This is simply a question of figures. I do not wish to trouble the Committee more than I need. Our case is on the figures as put in by Mr. Inman. The only witness whom we shall call just to explain the condition of Messrs. Brunner, Mond, and Company's trade will be the managing director. The matter is an exceedingly important one to us, because we are affected to the extent of something like 3,000*l.* or 4,000*l.* a year.

DR. DAVID BASIL HEWITT, is called in; and, having been sworn, is Examined as follows:

Mr. *Whitehead.*

6747. YOU are one of the Managing Directors of Messrs. Brunner, Mond, and Company, Limited?—Yes.

6748. Will you point out where on the navi-

Mr. *Whitehead*—continued.

gation the works of Messrs. Brunner, Mond, and Company are situated?—Their works are where you see that black patch below Northwich.

6749. How far from Weston Point?—Thirteen

Mr. *Whitehead* – continued.

miles. Our works run along the river for half-a-mile.

6750. They are large works and you employ a large number of hands?—About 3,000 hands. Our capital is about a million of money, and our gross poor-rate valuation is 30,000*l.*

6751. The bulk of your capital has been spent on your works at that site?—Yes, the bulk of it.

6752. What articles do you manufacture?—We manufacture soda-ash by the ammonia soda process, soda crystals and bi-carbonate of soda.

6753. All those articles come in Class C.?—Yes.

6754. Have you any other traffic upon the navigation?—Yes, things in Class C. We bring timber along the river and we also bring gas-water from Liverpool and Birkenhead along the river.

6755. Gas-water is in Class A.?—Yes.

6756. Is your traffic in that large?—Fourteen thousand or 15,000 tons a year.

6757. In Class C. what is the volume of your traffic?—Our traffic is 180,000 in Class C., and that has developed since 1885. In 1885 our traffic on the river was 93,000 tons; that is to say, traffic of all kinds; it is now 188,500 tons, showing the growth of our traffic since the year 1885.

6758. When did you first go there?—The works were building from 1872 to 1873, and we began to send traffic down the river in 1874.

6759. And the toll you were then paying was the same as you now pay?—Yes.

6760. Eightpence?—Yes.

6761. Was that a consideration inducing Messrs. Brunner, Mond, and Company to erect their works at that spot?—It was one element in the consideration.

6762. Your traffic in 1874 was not anything like the figure you have just given?—In 1874 it was very small indeed.

6763. As your capital expenditure at that spot increased, has your traffic increased?—Regularly.

6764. So you did not expend your 1,000,000*l.* when you first went there in 1872 or 1874?—No; the capital in 1872 to 1874 was very small. The capital afterwards increased very largely, and it did so chiefly in 1880.

6765. As your traffic has developed on this toll of 8*d.*, your capital expenditure has increased?—Yes.

6766. Does your toll of 8*d.* at the present time apply merely to the weight of the goods?—The 8*d.* is charged on the gross weight.

6767. That includes packages as well as goods?—Yes; the packages would be about 6 per cent. of the weight.

6768. On some articles there is a larger weight allowed than the real weight; coal, for instance?—Practically speaking, our coal is a very small item on the river; we bring a little down Anderton Lift from Manchester; on the Bridgewater, and on the Trent and Mersey it has to come down the Anderton Lift; it comes to our works there, and we pay the coal toll on that.

6769. That is not a very important matter?—It is about 5,000 tons a year.

Mr. *Whitehead*—continued.

6770. Upon that traffic now the trustees will charge upon the statutory weight, the avoirdupois weight?—At present they charge *d.* for 30 cwt., which is 4*d.* for 20.

6771. Under the Board of Trade Schedule the ton being the statutory ton of 20 cwt., the trustees would get an increased power of charge?—They would have the power to charge the crease.

6772. In addition to erecting your works you have constructed wharves along the navigation?—We have; we have constructed some of those wharves altogether; as regards others of them, we have paid for the timber, and the trustees have paid for the labour of putting the timber in. We have supplied the piling, and the trustees have driven in the piles.

6773. That is in regard to only a portion of these wharves?—Yes.

6774. The rest you have erected at your own cost?—The larger part by far we have erected at our own cost.

6775. I think you know that when the Manchester Ship Canal Bill was before Parliament certain stipulations were inserted in it for the benefit of the salt trade?—Yes.

6776. And also for the benefit of potter's materials?—Yes.

6777. Have you got any similar benefit with regard to your traffic?—We have not.

6778. And if your traffic passes along the Weaver and enters the Manchester Ship Canal at Frodsham Bridge, it has to pay toll along the Manchester Ship Canal if it is going out at Eastham?—Yes, it has; 1*s.* 6*d.*

6779. Whereas salt travels along the Manchester Ship Canal route toll free?—It does in vessels under 500 tons, and there is also immunity for pottery materials to the extent of one-half the tolls on the Manchester Ship Canal.

6780. Then in addition to that, salt, under the Board of Trade proposal, on the Weaver, would be charged about 700*l.* a year less than at the present time?—That is the exact figure under the schedule as proposed by the Board of Trade; the amount of toll payable by salt would be reduced by the figure of about 7,000*l.*

6781. Messrs. Brunner, Mond, and Company do not resist that reduction in favour of salt?—Not at all.

6782. They do not wish salt to be hardly treated in any way?—No.

6783. But you desire that your existing 8*d.* should not be increased to a possible 1*s.*?——

Chairman.] Will you let him give us his own opinion.

Witness.] On the average our tolls would be 8¼*d.* under the Board of Trade proposals.

6784. As compared with what?—Eightpence; we are paying 8*d.* now; we should pay under the Board of Trade proposal 8¼*d.* or 8½*d.* for our raw material if it came to Anderton Lift. It is 13 miles up to Anderton Lift, and we have stores there for which we pay a rental of 75*l.* a year to the trustees and we store our ash there, a good deal of it, very often some 7,000 or 8,000 tons may be there; we would have to pay upon that 8½*d.*

6785. What

Lord *Hawkesbury.*

6785. What is the Anderton Lift?—It is a hydraulic lift that cost 50,000*l.*; the trustees put it in for lifting narrow boats that can ply on the Trent and Mersey and from the Weaver to the Trent and Mersey.

Mr. *Whitehead.*

6786. Does Brunner, Mond, and Company's traffic make use of the Anderton Lift?—To a very small extent; we have other works on the Trent and Mersey, and any goods we exchange between the two works have to come down that lift.

6787. Would that be a large traffic out of your 180,000 tons?—A very small proportion.

6788. Were you in the room when Mr. Inman spoke about the trade in alkali at St. Helens and Widnes?—Yes.

6789. Will you state to the Committee what you think with regard to that matter?—I am sure Mr. Inman stated what he thought was correct, but he cannot know the alkali trade as well as he knows the trade of the Weaver, therefore any little mistakes he made were due no doubt to not having a personal knowledge of these matters.

6790. His statement referred to the cost of transport from those places to Liverpool in comparison with the cost of transport over the River Weaver; could you give the Committee what the actual facts are?—The facts are these: Widnes is on the Mersey, and, of course, traffic going down the Mersey goes toll free. The cost of barging from Widnes is 1*s.* 6*d.* without any toll. So our cost of 2*s.* 6*d.* which Mr. Inman gave shows that we are under 1*s.* disadvantage as compared with Widnes.

6791. That is as regards toll?—Eightpence as regards toll.

Chairman.] What has that to do with the present inquiry?

Mr. *Whitehead.*

6792. Certain figures were given by Mr. Inman, figures which Dr. Hewitt has reason to believe are not quite accurate. He wishes the facts to be before the Committee if they are relevant. The trustees went into that matter, and I thought the Committee ought to be rightly informed upon it. (To the *Witness.*) Could you tell the Committee anything with regard to the cost of transport from St. Helens?—I am not familiar with the cost of transport from St. Helens, but I know this, that it is considerably more from St. Helens than it is from Winsford. I think about 2*s.* 6*d.* would cover the cost from St. Helens to Liverpool.

Cross-examined by Mr. *Pember.*

6793. Of course you desire, as your counsel has suggested, to see this navigation well carried out?—It is most important that it should be carried out.

6794. And if in the future other canals are improved, and it is found advisable to improve this, you would like to see them get the funds to improve it?—There are always limits to improvement, and so

Mr. *Pember*—continued.

far as I can see, with regard to our traffic, the river is quite ample or more than ample for our requirements.

6795. The future may disclose further suggestions of improvement which may become advisable. You would not say otherwise than that there ought to be a considerable margin left to the trustees for possible new works?—I do not agree with a considerable margin. I should say with a fair margin.

6796. What do you call a fair margin?—If they had a few hundreds to expend, that would be a fair margin.

6797. Do you mean to say that in the whole of future time you do not contemplate that improvements might be carried out in the shape of new works, which would represent more than a few hundreds a year? Would you say 400*l.* a year?—Yes.

6798. Thus, assuming that they borrowed at something like 4 per cent., it means that they are never to spend more than 10,000*l.* on improvements?—I am speaking with respect to our own traffic from Winnington. I do not speak for any one else.

6799. I have your balance sheet here. You have not found that the tolls up to now have interfered with your dividends much?—No.

6800. They are still pretty good?—I do not think that has anything to do with the question ——

6801. It is for the purpose of easing my mind about you?—I must be allowed to finish my answer. I do not think that our profits have anything to do with the question before the Committee.

6802. That is not an answer to the question whether they are not pretty good?—They are very good, and a great many other people would like to have them.

6803. I was not far out when I said that one half-year you divided 100 per cent.?—One half-year we did.

6804. And even in these bad times you divided 30 per cent.?—The last dividend was 30 per cent.

6805. And in 1891 it was 50 per cent.?—In 1891, I believe it was 50 per cent.

6806. You do not think that bears upon the question of fair rates?—I do not.

6807. If rates are not to be tested as to fairness by the effect they have upon the trade, how do you test their fairness?—I test their fairness by their being sufficient to pay the revenue of the trustees. That is the only test that I know of.

6808. They ought to be enough for that?—Yes.

6809. And a margin?—A small margin; not too large a one.

6810. You spoke about the incidental advantages of the salt upon the Manchester Ship Canal. You had been established 11 years when the Manchester Ship Canal Act was passed, had you not?—Yes.

6811. Did you know that the Bill was going through Parliament?—Some of us knew, but we did not appear

 6812. Perhaps

Mr. *Pember*—continued.

6812. Perhaps as you, not caring anything except about Brunner, Mond, and Company, you do not know what goes on outside in the world?—We know all about it.

6813. What do they charge you for chemicals. You take a lot of chemicals down the Manchester Ship Canal, do you not?—No, we do not.

6814. Do you not?—No.

6815. What is their charge for chemicals?—One shilling and sixpence a ton from Weston Point to Eastham.

6816. How many miles is that?—I am not sure; I believe it is six or seven miles.

6817. I did not want to let you into a mistake of that kind. It is 11 miles, double your figure, at all events. You said something about Widnes having a great advantage against you; but Widnes has to get all its salt down to Widnes, has it not?—Yes.

6818. So that that must come off the advantage which, you say, it has?—It all depends. It does not necessarily follow.

6819. What did you go to Northwich for but to be next to your salt?—That was one of the reasons.

6820. And Widnes is all that distance off the salt?—We went to Northwich because of the process which we use which was a new discovery requiring brine.

6821. And to be on the spot; we may take it without further parley that it is a great advantage to you against Widnes; while you are on the spot with the raw material that you use in your process they are 20 miles off the raw material which they use in their process?—It does not necessarily follow; because the United Alkali Company make a number of things which we do not make. If they were at Northwich they could not use the salt that we use; they must still buy the white salt and use the solid salt, and mix it with sulphuric acid. We use the liquid brine.

6822. Where do they get the salt from?—From Northwich or Winsford, or just across the river from the Salt Union Works, which are just *here (pointing to the map)*.

6823. If they get their salt from Northwich and Winsford they are 20 miles at least off their raw material?—Yes.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] That is our case for Brunner, Mond, and Company, Limited. I now call one or two witnesses on behalf of Messrs. Bowman, Thompson and Company, and the Northwich Carrying Company. They are short witnesses, but you ought to be in possession of their views upon this matter. I will call Dr. Bowman, the chairman of Bowman, Thompson, and Company, Limited.

Dr. FREDERICK HUNGERFORD BOWMAN, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

6824. You are chairman of Bowman, Thompson, and Company, Limited?—Yes.

6825. They are petitioners on this Schedule, I believe?—They are.

6826. I believe that company was registered in the year 1891 as alkali manufacturers?—It was.

6827. When did you erect your works, and where?—We erected them at Lostock Graham.

6828. But when were these works erected?—About two years ago; they are not quite finished yet.

6829. About what capital have you spent upon them?—We have spent already about 225,000*l.*, and are still expending.

6830. Do you make use of the River Weaver for the carriage of your goods?—We do; for the carriage of goods to Liverpool, principally.

6831. What articles will those be?—We send alkali and bleaching-powder down to Liverpool, and salt-cake and various other products made from salt.

6832. I see your works are not actually adjacent to the navigation?—They are not on the river. They are on the canal and the railway.

6833. Do you send down by cart to the navigation?—No; there is a short branch of railway which connects up with our own line. You see sidings there just before you come to Northwich Station; but there is a short branch which runs down to the Weaver, and there we get on to the wharf a little bit above Brunner, Mond's works, where our goods are shipped.

Mr. *Whitehead*—continued.

6834. About what volume of traffic do you send to Liverpool?—Last year we sent down 19,000 tons of alkali and about 385,000 tons of sundries that we make; and we also brought up the river, in addition to sending down, about 1,438 tons of sulphur ore, which we use for making our sulphuric acid.

6835. Are you paying the 8*d.* toll at the present time?—Yes; and our traffic for this year will be much larger than that if the tolls are those that we can pay to Liverpool.

6836. Supposing the tolls increase to 1*s.*, do you think your traffic will continue to go?—I do not think we should send it that way then.

Chairman.

6837. How would you send?—We should send to Manchester by the Manchester Ship Canal.

6838. How would it get there?—There are now a number of through rates to different ports by the Ship Canal, and we might send by that way. We have not tried it, but it is possible that we might do if the price is raised.

Mr. *Whitehead.*

6839. What distance is the wharf you mentioned from the terminus of the River Weaver at Weston Point?—About 13 miles from the mouth of the Weaver.

6840. Therefore if the amendment put forward by the company were accepted you would be charged 13 times the money?—If the 1*d.* rate

Mr. *Whitehead*—continued.

rate per mile were so we should be charged 13 times 1*d.*

6841. Instead of the existing toll of 8*d.*?—Yes.

6842. You say you recently spent this large sum upon your works. Are you in the same condition of financial prosperity as Brunner, Mond and Company?—We have not had a chance; the works are only just erected. They have hardly had the time to make either a dividend or a reserve fund.

6843. Would your business be increased by an increase of the toll from 8*d.* to 13*d.*?—It would hinder us. Everything that we have to pay would be a hindrance instead of an advantage.

6844. So far for your traffic in alkali. Can you tell the Committee something about your traffic in salt?—We are also manufacturers of salt; we have salt works connected with our other works; we pump the brine and make it into salt, and we want to send that salt as cheaply as possible down the river.

6845. Under the Board of Trade Schedule you will be charged a lower toll from Northwich than the traders at Winsford for salt?—We should.

6846. Because that is fixed upon the mileage basis?—It would be so.

6847. What amount of traffic do you send in salt in the course of the year?—I cannot tell the exact amount; the works are only just commenced. We have not sent a large quantity yet because we use a large amount in our own works.

6848. What volume of traffic do you anticipate?—It is an unknown quantity. We support the Board of Trade Schedule, and by that Schedule we should pay rather more than we pay at the present moment; but it is a fair and equitable Schedule. Taking the 13 mile basis in their charges according to the new proposition of the Board of Trade, we should pay 8½*d.* as against 8*d.* if we sent 13 miles; but we do not think a halfpenny advance is an unreasonable one.

Cross-examined by Mr. *Pember.*

6849. How much salt do you use in your manufacture?—What salt do you mean?

6850. I have not the slightest idea. You use salt in your manufacture, do you not?—Yes, and make it in our own premises.

6851. And you say you use large quantities?—Considerable quantities.

6852. Therefore, I ask how much you use?—Four hundred to 500 tons a week.

6853. Multiply that by 50, what would it come to?—About 25,000 tons a year.

6854. The establishment of a manufacturer of chemicals at a point like Winnington on the Weaver is not all gain to the navigation trustees, is it?—I do not understand the question.

6855. The establishment of works on the Weaver of the character of yours, is not all gain to the trustees of the Weaver, is it?—It is all gain.

6856. I suppose if you were not there, you would have your works somewhere else?—No, we should not.

6857. You mean to say that you would not

Mr. *Pember*—continued.

establish your works at all unless you could be at Northwich?—We selected that site because it was the best site for us.

6858. You said more than that: do you mean to say that it is your opinion that if you had not been able to establish your works at Northwich you would not have established them at all?—If we could not have established them with a good supply of brine we should not.

6859. You said that they would not have existed at all if they had not been established at Northwich?—I do not think they would have been, because we wanted a supply of brine, and we have a supply of brine of the exact character that we wanted.

6860. You say that if by chance we are left to our old charging powers, and did raise your 8*d.* to a shilling, as we could do, you would send your alkali another way?—We should try to do so.

6861. You said to Manchester?—Yes.

6862. What would be the cost of sending it to Manchester?—I cannot tell you; but the Manchester Ship Canal authorities assure me that they can get us a rate competing with the Weaver rate if they raise the rates.

6863. We must not take their assurances. Do you know what their powers of charge would be if you were to offer to send it that way?—I do not know.

6864. Therefore, for all you know, it might cost you 2,000*l.* or 3,000*l.* a year more?—I cannot say until I try.

6865. In fact, you do not know?—No.

Chairman.] You need not pursue this further.

Mr. *Pember.*

6866. The seat of the alkali trade is at Liverpool, is it not; the merchants and brokers are there?—Not entirely.

6867. Almost entirely?—For the export trade it is.

6868. Is that the bulk of your trade?—No? we have a very large home trade.

6869. Which represents the larger amount, the home trade or the export trade?—I should think it was about evenly divided.

6870. May I take it that that is fairly true of the alkali trade generally?—No.

6871. Where is the greater amount of trade, looking at it generally; in the export or the home trade?—I should think, taking it all round, it is about evenly divided.

6872. What is the value of your alkali?—I should think to-day the value would be from 3*l.* to 3*l.* 15*s.* a ton.

6873. Sometimes it fetches much more?—Quite so, certainly: I hope it will fetch more soon.

6874. You say it is now worth 3*l.* 15*s.* a ton; sometimes it goes up to 8*l.*, does it not?—I never heard of it at that price.

6875. It is sometimes much more than 3*l.* 15*s.* a ton. What is the value of a ton of white salt?—I should say somewhere about 7*s.* at the salt-pans; it depends upon the quality of it.

6876. What would the Widnes people pay for salt delivered from the salt-pans at Northwich? I cannot say.

Mr. *Pember*—continued.

6877. Over 7*s.* a ton?—Yes; but they have a compensating advantage; they are nearer the coalfield and get their lime by the sea. If they pay more for their salt, they pay less for their coal and less for their lime.

6878. What is the value of the brine from which you make your alkali?—It depends upon the cost of pumping.

6879. Is 3*d.* a ton about the price?—It is more than that.

6880. Is it 6*d.*?—The cost of pumping would be 3*d.* to 3½*d.*

6881. Supposing I doubled it, I should be over the mark, should I not?—For the salt itself.

6882. For the brine?—I think so.

Mr. *Pember*—continued.

6883. You could not say what your salt stands you in a ton for making alkali?—No, that is a secret inside the working.

Re-examined by Mr. *Whitehead.*

6884. As I understand, in the salt trade your 25,000 tons a year is a new traffic that you introduced upon the river?—Our works are entirely new, and whatever we send down the river will very largely increase in their traffic.

6885. Whatever may be the volume of it will be an increased revenue to the Weaver trustees?—We send down the river whatever we do not use ourselves.

[The Witness is directed to withdraw.

Mr. JOHN KNOWLES, is called in; and having been sworn, is Examined, as follows:

Mr. *Whitehead.*

6886. You are commercial manager of Messrs. Bowman, Thompson and Company, Limited?—I am.

6887. I only want to ask you one question that was asked by Mr. Pember of the last witness, who was not in a position to answer it. What would be the charge for alkali going to Manchester from the works of Messrs. Bowman, Thompson and Company?—We can get a through rate considerably less than we can get through the Weaver *viâ* the Manchester Ship Canal to the Continent.

6888. On traffic going to Liverpool?—Either to Liverpool or Saltport for the Continent, we can get a less through rate through Manchester and the Ship Canal.

6889. Less than what?—Less than we can get it passing through the Weaver; we go by the Cheshire Lines Railway to Manchester, then on to the Ship Canal, and by the Ship Canal direct to the Contenent.

6890. Do you mean less than a shilling, or less than the existing toll of 8*d.* upon the Weaver?—The through rate is considerably less than the 8*d.* toll.

Cross-examined by Mr. *Pember.*

6891. What is the rate for alkali?—I am not speaking particularly of alkali at present, I am speaking of salt cake.

6892. What is salt cake?—It is sulphate of soda.

6893. Impure sulphate of soda?—Yes.

6894. What is it used for?—Glassmaking.

6895. What is the rate for it to Manchester?—We have not a rate to Manchester, we have simply a through rate.

6896. Where to?—To the Continent.

6897. Starting where from?—From the works of Bowman, Thompson and Company.

6898. Going to Manchester by the Cheshire lines?—Yes.

6899. Manchester to where?—Manchester to Brussels.

6900. It depends I suppose upon what the freight is from Manchester to Brussels?—I grant you that, but it is all the same to us.

Mr. *Whitehead*—continued.

6901. What is the difference between the freight from Manchester to Brussels, and Liverpool to Brussels?—I cannot give you that, I have only the through rate.

6902. Everything depends upon the relation between the freights from Manchester to Brussels and Liverpool to Brussels?—I must refer you to the Ship Canal Company.

6903. The Ship Canal Company do not quote rates from Manchester to Brussels?—We have the through rates from Manchester through the Ship Canal to Brussels.

6904. How on earth can the Manchester Ship Canal Company give you through rates from Manchester to Brussels; they do not own ships going from Manchester to Brussels?—No; they can give us a through rate upon the canal. I do not mean that they give us a through rate to Brussels, but in connection with the merchants they give us a through rate.

6905. As a matter of fact, by the Cheshire lines to Manchester it would not go upon the Ship Canal at all?—Unfortunately for your argument, it is going now.

6906. The Cheshire Lines Railway is not on the Manchester Ship Canal?—No.

6907. You say it would get to Manchester by the Cheshire Lines Committee's line?—Yes.

6908. Then it gets on to the wharf at the Manchester Docks?—Yes.

6909. And then goes on board ship?—Yes.

6910. To whom does the ship belong?—Do you want to know in particular; the Manchester shippers.

6911. It does not belong to the Manchester Ship Canal?—No.

6912. Then your stuff has never gone on to the Manchester Canal at all?—It goes down the Manchester Ship Canal in the ship.

6913. The Manchester Ship Canal Company have nothing to do with the ship?—I did not say that they carried it.

6914. If you were to send it in that way every ship carrying your salt would absolutely pass Weston Point, which is the end of this navigation?—I am quite aware of that.

6915. What

Mr. *Whitehead*—continued.

6915. What have you to say about the alkali; anything?—What do you wish me to say about it?

6916. If you were to say what I wish you to say it would be that if I charged you a shilling a ton for alkali it would not be an unfair rate?—I am sorry I cannot oblige you.

6917. Have you anything to say about it?—If you charge a shilling a ton on the Weaver it will go elsewhere.

6918. If that is the case we shall not charge it, shall we?—That is a matter for you.

6919. Supposing you put yourself in my position for a moment; if the alkali were going elsewhere you would not charge a shilling?—I do not think it would be wise to do so.

Mr. *Samuel Young.*

6920. Do you use the Manchester route?—Yes, in pretty large quantities, and not only use it against the Weaver river but for shipping salt cake *viâ* Grimsby, 100 miles by rail; we send by water from Grimsby to Brussels; we have sent down the River Weaver to Liverpool and have shipped from Liverpool to the Continent.

Mr. *Pember.*

6921. It must be a question of freight and not rate. Can you send salt from Winnington right across country to Grimsby for less than the toll which it is carried down the Weaver to Liverpool?—No, I say the rate throughout is less.

6922. Does not it stand to reason that the rate to Grimsby must be much more than by the Weaver Canal?—Yes, but there is a freight and toll.

6923. Is not the reason why you get what you choose to call a through rate, because they always take out salt as ballast at Grimsby?—I do not think so; I know, in fact, that it is not so.

6924. Grimsby is much nearer to many Continental ports than Liverpool?—Yes.

6925. Where would the salt be going to?—To Brussels in this case.

6926. It goes to Antwerp, does it not?—It goes to Antwerp and thence to Brussels.

[The Witness is directed to withdraw.

MR. THOMAS MOORE, is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

6927. You are a Coal, Lime, Slate, and General Builders' Merchant at Northwich?—I am.

6928. And you are also General Manager of the Northwich Carrying Company, Limited?—I am.

6929. When was that company formed?—About 11 years ago.

6930. Their premises are situated in Northwich, are they not?—Yes.

6931. Which way does the traffic of that company pass along the Weaver Navigation?—Entirely between Northwich and Liverpool along the Weaver.

6932. Entirely between Northwich and Liverpool?—From Northwich and Liverpool down the river.

6933. What articles do you send along that route?—All descriptions of articles: everything from Class A. to Class 5, and a large proportion of that is the chemicals about which the last witness spoke.

6934. You carry them for two firms at Middlewich, seven miles away, and for a firm just opposite the works of the last witness?—Yes.

6935. You are a carrying company carrying articles in all classes from A. to 5?—Yes.

6936. And are interested in the tolls from every class?—Quite so.

6937. Speaking generally, what is your opinion upon the Board of Trade Schedule?—I think the Board of Trade Schedule is a very fair one; it increases the rates from my wharf to the extent of a penny a ton; it would make it 9*d.* instead of 8*d.*; but, looking at the Schedule altogether, it is a very fair Schedule, and we should support the Schedule; but we could not pay any more. Any further tax upon the trade would take

Mr. *Whitehead*—continued.

away from the Weaver a great deal more than the extra 4*d.* would give.

6938. Where would the traffic go to if not through your hands and along the Weaver?—In various ways; from Middlesborough we now carry for the two chemical works, and that would go entirely along the Shropshire Union Canal to Ellesmere Port and across to Liverpool in that way. It would be impossible to get a single penny more from these firms.

6939. You do not think, I gather, that the proposed toll of 1*s.* or 1*d.* per ton per mile would be a toll which could be enforced by the Company?—It would be perfectly impracticable for any traffic exchanging at Northwich, and that traffic is becoming a very large one. The traffic last year, probably, I should think, was over 30,000 tons that I carried; and this year it will be considerably over 50,000 tons. Last year we should have carried more but for the rate which prohibited us carrying it. Persons got lower rates in other directions.

Chairman.

6939*. What prevented it going?—Lower rates; it goes in other directions. Take barytes; we carried the last witness' barytes for a time, and since then Garston took it first with a lower through rate; they sent it to Manchester, and they had it sent from Manchester to these works.

Mr. *Whitehead.*

6940. It was sent to Manchester, how?—By ship. The ship has gone past Saltport and down to Manchester under the advantage of the through rate that has been mentioned, and it has been brought down to the works near

Mr. *Whitehead*—continued.

Northwich at a less figure than we could do it at.

6941. The question that we are discussing is the question of through rate. I do not want to discuss the question of through toll or through rate; I want you to consider the toll proposed by the Board of Trade?—The toll makes the difference between the through rates by the various routes.

6942. There is a very small margin, is there not, on that traffic at the present time?—There is no margin for the traffic that I carry.

6943. But on the 8*d.* toll it appears to be an increaseing traffic?—It is a very largely increasing traffic, and it may be made very much larger. The interchange at Northwich with the moderate rate like we have had may be made very much larger than it has ever been befere. That is my view.

6944. I do not follow you. What do you mean by interchange at Northwich?—All traffic that I take, except up traffic, comes to my wharf either by rail or canal.

6945. And is then transferred at your wharf down by your boat to the Weaver?—Yes.

6946. And that traffic you say could be increased if the existing tolls were maintained?—Largely increased.

6947. You have acted for some time as secretary to the Salt Chamber of Commerce?—I have for many years.

6948. Are you there still?—Yes.

6949. And are you familiar with the negotiations that have gone on between the salt manufacturers and the Weaver trustees?—Yes.

6950. At whose instigation has it been that the various improvements along the navigation have taken place in recent years?—The salt proprietors have urged the Weaver Trustees, otherwise I do not think the works would ever have been completed. I do not think the Weaver Trustees would have done anything of the kind of their own motion. The responsibility for the works entirely came from the salt traders.

6951. They suggested it?—Yes; they have urged all along the completion of the works to Winsford.

6952. Would the completion of the works up to Winsford be of any benefit to the interchange traffic that you have been mentioning?—Not the slightest.

6953. Do the traders of Northwich generally get any benefit from the improvements of the navigation?—Any increased traffic at Northwich would benefit the Winsford trade, because every ton of traffic that you increase at Northwich reduces the amount of liability that the salt people would have to pay principally to Winsford.

6954. Do you know what the tonnage of salt is this year, as compared with last year?—It is an increasing tonnage. I cannot give the figures.

Cross-examined by Mr. *Pember.*

6955. Do you put it that the Weaver should not be improved up to Winsford for the benefit of the Winsford traders?—No; I say that it ought to have been done years ugo.

6956. You do not blame, on the one hand, the Winsford traders for pushing the trustees to do this, nor blame the trustees, on the other hand, for acquiescing?—I think the whole of the works have been desirable. At the same time I would add that those works I cannot take any advantage from; they are not a penny good to me. I never take more than one steamer at a time, and these large docks and all this expenditure has been increased for the purpose of taking three barges in tow with one steamer, and reducing the cost of carriage very seriously.

6957. And I suppose some of the people at Northwich find an advantage in it just as the people in Winsford do?—I am speaking for myself. I should think I am the second largest trader on the Weaver at Northwich, all except the Salt Union.

6958. Putting it generally, you say that you can increase your trade at the present rates?—I say so, decidedly.

6959. So that your only fear is that if the Weaver trustees were left to make their present charges, the tendency would be that they might raise the rates that you have;—Exactly.

6960. You think it would be very unwise to do that?—Yes, I have told them so.

6961. And that your trade would to a large extent leave the river?—Yes; it would vanish.

6962. With regard to some of your traffic, you must admit that it could not leave the river, the carrying by the Trent and Mersey Canal would, but for a great deal of your traffic, you would only have the choice between the railway and the navigation?—Nothing of the kind. There is not a single bit of traffic that I have which could not go by two routes. Take Middlewich traffic, there is the Shropshire Union Canal or railway; and take Bowman, Thompson and Company.

6963. I do not want Bowman and Thompson?—I take Bowman and Thompson's stuff; if you raise the rates I could not take that stuff.

6964. It is their traffic that you carry?—Yes.

6965. Are you quite clear that if you raise the rates to 1*s.*, you would have your remedy of going by another route?—I do not say that I should; but the parties who contract with me would.

Chairman.

6966. You are a carrier?—Yes.

Mr. *Pember.*

6967. Cannot you carry by another route?—No, my vessels would not be suitable.

6968. They would have their remedy by taking another route?—Yes; the company I represent was formed for the purpose of keeping this waterway open. It had been a carrying company for a great many years conducted by the Anderton Company, and the Anderton Company gave it up because it became unprofitable; and to keep it going I started it again, and we can make a very large traffic. And unless a large traffic can be made it will be a very poor thing.

6969. If a large traffic can be made you will do pretty well?—I shall try.

6970. You, as a carrier, cannot transfer your vessels

Mr. *Pember*—continued.

vessels to the other navigation, but the persons for whom you carry, all their traffic would have an alternative route?—Every one of them.

6971. As to the 6*d.* toll on the Weston Canal, have you given your attention to that?—I have.

6972. What do you think of it?—It would be a very good protection both for Northwich and Winsford towns. It is a desirable thing to have it perpetuated, and I shall be very glad if the Committee see it in the same light.

6973. Are you connected with the Salt Chamber of Commerce?—I am secretary. I am not prepared to give evidence here upon their part.

Re-examined by Mr. *Whitehead.*

6974. I understood you to say that you did not object to the improvements contemplated between Northwich and Winsford?—Not at all; they will not do any good to me; but, at the same time, it would be only a very selfish man who would wish to see this restriction. Winsford ought to have the same benefits for bringing barges down that Northwich has.

6975. Do you think that the traders at Northwich should be called upon to pay something extra for the accommodation provided for somebody else at Winsford?—No; the claims of the salt trade are rather excessive upon that account. We shall have in Northwich the inconveniences of the swing bridges as well as having the costs thrown upon us; by the increase of our rates we shall have the costs thrown upon us of the extensions required for the upper portions of the river.

6976. As regards the improvements lower down, between Northwich and Weston Point, do the salt traffic and the traders generally get the benefit of those improvements?—And they can utilize them, too, and though they cannot utilize them all the way from Winsford they can pick up the barges from Northwich; so that it is only the Winsford section that barges. The rest of the journey can be done taking the full benefit of the improvements.

6977. That is to say, they can use these barge locks and take through two or three boats at a time?—Yes, they have got their barges at Northwich, and are in a position with the steamer coming from Winsford to take the full benefit of the extension to Northwich equally with the Northwich people.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] I have a few words to address to the Committee on behalf of the traders in Northwich, Brunner, Mond, and Co., and the Northwich Carrying Company. In substance their case is the same as that of Messrs. Brunner, Mond, and Co. I will not refer the Committee again to the figures which my learned friend Mr. Cripps so clearly explained. But everything he said upon that point the other traders at Northwich would like to endorse and to repeat with the greatest possible emphasis before the Committee. We stand also by that line of argument, and we do think that this navigation has at the present time spent more than is absolutely necessary for the maintenance of the proper navigation. But we take them upon their own figures, and we say that the Schedule proposed by the Board of Trade will give them an ample margin covering them, not only covering their actual expenditure but giving them a large margin out of which they can repay their capital over a series of years. All the points which my learned friend Mr. Cripps put before the Committee we desire to emphasise, and desire the Committee to look upon our case in exactly the same light; but there are certain features with regard to the traffic of these gentlemen which make a slight distinction between their case and that of Brunner, Mond, and Company. They deal with the same articles in the main. They deal in general goods, as Messrs. Bowman, Thompson, and Company deal in alkali and other chemicals. But, as you heard, that firm has only quite recently incurred a very large expenditure, nearly a quarter of a million. Dr. Bowman said they had spent within the last three years upon their works at Northwich the sum of 225,000*l.*, and they are just spending the remaining 25,000*l.*, bringing them up to a total expenditure of a quarter of a million—an expenditure incurred obviously in order that they might get the benefit of this Weaver Navigation, and get not only the benefit of proximity to the raw material, but also have the benefit of this waterway, and the benefit of the toll of 8*d.*, which has been in force for at least 20 years in respect of these articles. The Northwich Carrying Company have been in existence rather longer, but they have explained to the Committee that they have erected their works and got their wharves upon the Weston Navigation, and developed the traffic during the last 11 years, which is growing. The year before last Mr. Moore told the Committee it was 30,000 tons; last year it was 50,000 tons, and it is still increasing and developing under that 8*d.* toll. The traffic of Messrs. Bowman, Thompson, and Company has increased; it is now 19,000 tons in alkali; but as the gentleman before the Committee explained, that volume of traffic is increasing, and they expect it to increase, providing their tolls are not raised. What they fear is this: That, looking to the fact, that they have so recently incurred this very large capital expenditure which they have made undoubtedly upon the basis of that 8*d.* toll, they do ask the Committee not to sanction the proposals which the trustees of the navigation admit, and their witnesses admitted in cross-examination, whom they put forward before this Committee in order that they may force up to the hilt the 1*d.* per ton per mile against this traffic. So far as Messrs. Bowman, Thompson, and Company's traffic is concerned, it would involve a charge of 1*s.* 1½*d.* or 1*s.* 2*d.* against 8*d.* They do ask the Committee not to sanction any such power in the hands of the trustees. I think the Committee will agree that it is the first instance before this Committee, or before the Committee of last year, in which a navigation or a company have come before the Committee and asked for power specifically to enforce against a particular traffic for the purpose of increasing their tolls. It is the first case in which the proposition has been put forward.

The margin has often been asked for for contingencies to cover some exceptional reduction of toll that there has been in the past in comparison with other articles in the same class; that the navigation should come before the Committee and deliberately ask for increased power of charge against those articles, a power which they wish to get from the Committee to put in force against gentlemen who have spent a large sum of money upon the faith of the existing toll of 8*d.*, is an absolutely unheard-of and new proposal; and the traders of Northwich ask the Committee not to sanction such a thing, but to leave the tolls as fixed by the Board of Trade, giving the company a margin of a 1*d.* or a ½*d.* over the actual toll of 8*d.* which has been in force for 20 years.

Then it is suggested to the Committee that in some way or other, if you do not accept the mileage principle as the basis of these tolls, you will be inflicting great injury upon Winsford; but your Grace and the Committee will remember that when one of the trustees, Mr. Inman, was in the box he admitted in cross-examination that, though the toll is absolutely identical from Winsford to Weston Point as from Northwich to Weston Point, the trade in salt is shifting from Northwich to Winsford. That would, I should have thought, suggest to the mind of the Committee that, if anything, equality of tolls is working hardly against Northwich. As the trustees of the navigation explained, subsidences, owing to the working of the brine, are taking place at Northwich. That is the difficulty which involves that expenditure at Northwich; but not to so large a degree as at Winsford. If the Committee do not accept the principle of the mileage toll, but impose one gross toll equal as against Northwich and against Winsford, they will be continuing that inequality and affecting the transfer of that industry, and accelerating the transfer of that industry from Northwich to Winsford. But the contention of the traders has all along been that the true principle is the principle of the mileage toll,—that the traders are entitled to charge only in accordance with the length of the journey that their boats have to effect,—that that is the true basis; and if one trader has a certain geographical advantage, he ought to be allowed to retain that advantage, and not to be charged more, or not to be charged even the same amount for a less distance than he would be for the longer distance. But the fact is this; it is suggested by the trustees that there ought not to be this grouping between Winsford and Northwich. Now, if you pass the Schedule as it has been treated by the Board of Trade when they came to deal with the actual tolls. The trustees are empowered by the Act of 1888 to group different places and give them the same toll. And if that grouping is reasonable or unreasonable is a question which has been referred by Parliament to the Railway Commissioners for their decision. Therefore I say this, that they have got the provision by which there could be grouping, and it is unfair that you should group them as regards their maxima, but rather that you should adhere to the principle which has been already accepted by Parliament, and never departed from, that the mileage basis is the true basis of toll, and that, so far as possible, no no actual tolls should be increased; that is to say, no actual toll which has been in force for as long as 20 years, upon which the traders have incurred a very large capital expenditure.

Mr. *Lloyd.*] It is my duty to address the Committee upon behalf of the Northwith Local Board. I have not troubled your Grace with much cross-examination upon this matter, nor will I trouble the Committee with many observations, because it has not been thought right by the Local Board of Northwich, representing the ratepayers, to take any direct part in the consideration of whether or no there should be a gross or mileage toll upon the Weaver, nor as to the amount of that toll, but their position has been limited to one matter upon which I venture to ask some questions of Mr. Verdin; namely, as to whether it is just and right that the sixpenny toll upon the Weston Canal should be retained. I ask permission to address the Committee upon that point from the point of view of the Northwich Local Board. You will have gathered by this time that the town of Northwich is in a unique position; it stands immediately upon the bed of salt in the Cheshire district; that bed of salt is being carried away day by day in a liquid form, sometimes by brine being pumped from the rock salt mines, in other cases from brine being pumped from the head of the top bed of rock. Whichever place the brine is pumped from it is now universally admitted that the result some time or other, generally very speedily, is the subsidence of the surface above in Northwich. The result is so serious that, as you will hear from a witness that I propose to put into the box, the pipes are specially constructed with special joints in order that expansion may take place without harming the pipes. In addition, the buildings now erected are erected with wooden framework, and bricks filled in, so that as subsidence takes place, screw jacks can be applied below the houses, and they can be bodily lifted, and more bricks or masonry put underneath to compensate for the subsidence. That is the state of things in Northwich, and a more serious state of things it is impossible to conceive. On the other hand it may be properly said there are compensating advantages which the town of Northwich has. It is a town which has sprung into existence as a salt town, and those who have gone there have gone there for the purpose of being in some way interested in the profits of the salt trade, and as Mr. Verdin told you there is not a soul in Northwich who is not directly or indirectly interested in the salt trade. Therefore those who inhabit the town of Northwich inhabit it under serious disadvantages, but they have elected to adopt those disadvantages in order that they might participate in the profits derived from the salt trade. Those who have elected to reside in Northwich have elected to take the disadvantages with the advantages and to put up with the subsidences which they have to put up with in order that they may reap directly or indirectly some profit from the salt trade. But that being so I am sure the Committee would be desirous of doing what the Houses of Parliament have done for the last two centuries, namely, protecting this district of Cheshire by not allowing the brine to be carried away and the damage to be done without those who share

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in the damage having a share in the profit. Those whom I represent at Northwich have this dread: that if this House supports the Board of Trade in removing that sixpenny toll from the Weston Canal the result will be that that mischief will be increased which the Salt Union or their predecessors have already begun by laying down pipes to Weston Point. You have heard already that a pipe was laid many years ago, prior to 1872, and that by that pipe now large quantities of brine are carried from the Northwich district; that that pipe is capable of carrying a great deal more, and there is little doubt in the minds of those I represent that in the event of the sixpenny toll being removed from the Weston Canal, those works would be largely increased by the Salt Union. The effect would be this: that at Northwich where the brine-runs are there would be nothing left but the mere pumping-stations, with a few hands employed necessary for that purpose; whereas the large plant, the pans necessary for salt-boiling, and the number of hands employed thereon would be removed to the point at Weston where the works might be carried on without paying this toll. The result would be that under the Board of Trade Schedule about a halfpenny rate would be paid over that small part of the Western Canal just at the mouth of the Manchester Ship Canal; then goods would be carried under the arrangement you have heard of with the Manchester Ship Canal, free over the Manchester Ship Canal, and the salt manufacture at Weston Point would find its way to Liverpool, having paid a toll of a halfpenny. That is a matter which cannot be contradicted. If so it is obvious that if salt can be taken from Weston Point to Liverpool with a toll of one halfpenny upon it it is idle for Northwich or Winsford for a moment to think they can compete with the trade at Weston Point. You will have noticed that throughout this inquiry there has been no opposition made to the suggestion that this 6*d.* toll should be retained by anybody except by the Salt Union. Numbers of interests are represented here, and nobody has expressed a syllable of discontent with the continuance of that 6*d.* protection toll except the Salt Union. So far as I am able to gather from my learned friend Mr. Littler's cross-examination he seems, on behalf of the Salt Union, to object, on the ground that that toll is ineffectual; he says, I have my trade there and I can get to market by means of the Weston Canal, and whether your 6*d.* exists or not does not affect the question. I venture to say that is a fallacy, and for this reason: We know that the pipe was made prior to 1872; we know that the 6*d.* toll came into existence in 1872, and we know from that moment to this no new works of any sort have appeared at Weston Point. Therefore we are content with this view for the present that that sixpence up to this moment has succeeded in preventing any fresh works being opened there. But one is a little cynical about the position taken up by the Salt Union, because if it is the fact that the sixpence is ineffectual and does not in the least harm them or anyone, it is a little difficult to see why they should be the only people opposing the continuance of that toll. The real ground upon which they oppose that is because thay have already a pipe in existence and the plant at Weston Point, by the increase of which they would be able to do the very thing we dread. I do not know that by repeating what I have already said I could more strenuously appeal to the Committee to consider this very seriously before removing the toll—I propose to call the chairman of the Local Board of Northwich, who is very desirous both on the part of himself and his constituents to lay before the Committee the views that are taken in Northwich, and the dread with which they apprehend the removal of this toll, and I should then ask the Committee, having heard him, to say that there is no ground shown by the Board of Trade for removing the sixpenny toll which has existed for so many years.

MR. JOHN WESTON is called in; and, having been sworn, is Examined, as follows:

Mr. *Lloyd.*

6978. YOU live at Northwich?—Yes.

6979. You are Chairman of the Northwich Local Board?—I am.

6980. And you have been in business for over 40 years in Northwich, and have an intimate knowledge of the town and district?—Yes.

6981. The town stands right upon the River Weaver, I believe?—Yes.

6982. And there is a bridge called the Town Bridge, carrying the main artery of Northwich across the river?—That is so.

6983. That is a bridge with which you have had a great deal of trouble from its constant sinking?—Yes, for many years.

6984. Involving constant raising by the trustees?—Yes, and by the county; by the leave of the Justices the bridge has been raised, and also the Dane Bridge, but principally at the expense of the trustees.

6985. Is the bridge which carries your main

Mr. *Lloyd*—continued.

street over the Weaver in such a state now, that in your view it would be dangerous to raise it any further?—That is so.

6986. Is that the bridge in lieu of which the two swing bridges are to be made?—Yes.

6987. Amongst other reasons why Northwich do not desire to see the Weaver Navigation stinted, is one reason, that they would like to have their bridge replaced by two swing bridges?—Certainly. We should have two bridges under the present proposals, which would largely improve the present gradients, which are very bad.

6988. You have a plan showing the bridge as it now exists?—Yes (*handing it to the Committee, and also handing some photographs*). These photographs show the gradients of the bridge; they are really worse than they look, the ascent is very steep, I think one in 11.

6989. Do you agree with Mr. Verdin that all the

Mr. *Lloyd*—continued.

the inhabitants of Northwich are interested either directly or indirectly in the pumping of brine?—Yes, wholly so.

6990. The whole town being dependent on the alkali trade and the salt trade, both of which issue from the pumping of brine?—Yes, that is so.

6991. Is it the fact that the town of Northwich for some considerable time has been subsiding seriously, and still is?—It is subsiding, and has been in portions for more than 100 years.

6992. You have some photographs which show the disadvantages with which Northwich has to put up with in the way of subsidence?—Yes.

Chairman.] You need not labour that.

Witness.] This shows what the difficulty is, which has been refered to as to raising the houses (*handing in another photograph*).

Mr. *Lloyd.*

6993. Having regard to the position of Northwich with reference to this matter, is it regarded by the residents there as a most important matter that the Weston Canal toll should be retained?—I have not heard any dissentients. The Local Board was unanimous about it.

6994. Will you tell the Committee what you are apprehensive of in the event of the toll being removed?—The consequence of the toll being removed might be that the works which we have been apprehensive of for a long while might be developed in a large degree; if that took place, Winsford, which is largely a salt-making place, must cease more or less to exist, and Northwich would have to find all the brine which is sent down the large pipe of 15 inches which has been already referred to.

6995. The pipe which has been referred to is not now worked to its full capacity?—Nothing like its full capacity. I think 40,000 tons a year is the present use of it.

6996. With reference to the question of a gross toll or a mileage toll, your local board have not desired to interfere in any way with regard to that?—No.

Mr. *Lloyd*—continued.

6997. They are only desirous that the trustees of the Weaver Navigation should be left with sufficient funds to carry out the necessary alterations in which they are interested?—Yes.

6998. And that this toll should be retained?—Yes, having agreed to the swing bridges, we are most desirous to see the improvement of the river.

Mr. *Littler.*] I should have liked to have said something to this witness, but I am an opponent.

[The witness is directed to withdraw.

Chairman (to Mr. *Lloyd*).] Have you any more witnesses.

Mr. *Lloyd.*] I have more, but they would speak to the same points.

Chairman.] Then I do not think that you need call them. I do not wish to prevent you from calling them if you desire to do so, but the witness you have called has not been cross-examined, and if any other witness you called said the same as he has said, the same thing would follow.

Mr. *Littler.*] Mr. Pember will not ask the witness anything, and I cannot.

Mr. *Lloyd.*] I do not think I should be usefully occupying the time of the Committee by calling any more witnesses. I should be calling three or four witnesses who would prove the same thing.

Mr. *Claude Baggallay.*] I have now to bring before the Committee the case of the Winsford Local Board and some salt traders outside the Salt Union.

Chairman.] Would Winsford say the same thing as Northwich.

Mr. *Claude Baggallay.*] As to pumping, it is the same case, but the case of Winsford is different to that of Northwich, they are further up than Northwich.

Chairman.] You need not travel over the same ground.

Mr. *Claude Baggallay.*] No, I will not.

Mr. GEORGE GARFITT, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Claude Baggallay.*

6999. You are Chairman of the Winsford Local Board, are you not?—Yes.

7000. I think you have been agent to the Delamere Estate, near Northwich, and are now land agent to Colonel France Hayhurst?—Yes.

7001. What is the local feeling at Winsford with regard to the mileage toll as against an all-over toll?—There is a very strong feeling for an all-over toll, and the feeling is very much against a mileage toll.

7002. At present you pay 1*s.* a ton for salt, do you not?—Yes, 1*s.* a ton.

7003. Under the Board of Trade proposal I believe the toll would be somewhere about 9½*d.*?—That is so.

7004. Is it the fact that Winsford is so interested in the communication and the improvement of the navigation of the upper part of the Weaver, that they are desirous of supporting the amendments that are proposed by the trustees though it may increase the toll at Winsford?—They are in favour of the improvements being carried out up to Winsford; they do not wish to starve the trustees in carrying out their contract.

Mr. *Claude Baggallay*—continued.

7005. Is it the fact that Winsford is at present handicapped in competing in trade partly on account of the increased breadth and longer distance, and partly on account of the state of the navigation?—Yes, that is so.

7006. So that although at the present moment the nominal toll is the same from Northwich as from Winsford; in fact, the cost to the producer at

Mr. *Claude Baggallay*—continued.

at Winsford is greater?—The cost of transit would be greater.

7007. To go to one other point, that is the question of the 6*d.* toll on the Weston Canal; in your opinion is it or not desirable that that toll should be maintained?—It is very desirable to maintain that toll, for if the toll is done away with, there is no reason why the brine should not be taken from Winnington to Weston Point, and so materially injure Winsford, and, in fact, do Winsford a very great injustice.

7008. Have your local board incurred a very considerable debt for the benefit of Winsford?—They have in water works and sewage works, and general improvements.

7009. At present you have a very considerable amount outstanding in respect of loans for general improvement, have you not?—At present we have about 18,500*l.* in loans outstanding.

7010. Is it the fact that there is practically no other trade at Winsford except the salt trade?—There is no trade at present but the salt trade; it is contemplated having chemical works. At the present moment we are entirely dependent on salt.

7011. As matters stand, if the carrying away of brine by a pipe down to Weston Point occurs, Winsford would really be depopulated?—Winsford would be demolished altogether.

Chairman.] You may take it that both Northwich and Winsford are agreed that if the tolls were taken off that part of Weston Point all the sources of trade would leave both places.

Mr. *Claude Baggallay.*] But I have my learned friend, Mr. Littler, coming afterwards for the Salt Union, who is going to urge the removal of the particular toll.

Chairman.] The Committee have it before them (whether justified or not that is another matter) that at both those places the salt trade would be taken away from them and taken up to Weston Point.

Mr. *Claude Baggallay.*] I will not go further into it now.

Chairman.] I do not offer an opinion upon that.

Mr. *Claude Baggallay.*

7012. I wish to point out what your position is between the trade of Winsford and the other traders upon the River Weaver at the present time; suppose the Board of Trade scheme were carried through, you would then have to pay about 2*d.* a ton more than the people at Northwich would have to pay?—We should have to pay 2*d.* a ton more than the Northwich people.

7013. That is a mileage toll?—Yes.

7014. Apart from the other question of not starving the trustees, you also object to the Board of Trade proposal because it will put 2*d.* more than you have now compared with Northwich?—We should prefer to have one uniform rate.

Mr. *Pember.*] I have no question to ask you.

[The Witness is directed to withdraw.

Mr JOHN GARNER is called in; and, having been sworn, is Examined as follows:

Mr. *Wilbraham.*

7015. You are a salt proprietor at Winsford?—I am.

7016. And your works are of considerable size; they are the largest works outside the Salt Union?—Yes.

7017. What amount of tonnage of salt do you send down the Weaver?—At the present time we send about 58,500 tons per annum.

7018. About what does that come to in money?—About 2,800*l.* In 14 days from now I shall send over 60,000 tons per annum, coming to over 3,000*l.* in tolls on the Weaver.

7019. In addition what other carriage of goods have you upon the Weaver?—It take 30,000 tons of fuel per annum.

7020. Do you send all that down the Weaver, at the present time?—Yes; there is fuel coming back, too.

7021. Do you bring it all up the Weaver?—No, about half of it. I take 30,000 tons per annum of fuel.

7022. What would be the result if the present tolls were slightly reduced upon your carriage of coal; which way would you send the coal?—By the river.

Mr. *Wilbraham*—continued.

7023. What is your opinion upon the subject of an all-over toll?—I am in favour of an all-over toll.

7024. Is that the opinion of the majority of the traders in your district of Winsford?—Yes, the mileage toll means ruination to the town and trade of Winsford.

7025. On account of the possibility of a pipe sending the brine down to Weston Point?—Yes, we should be at a disadvantage under the mileage scale of about 2*d.* a ton; it comes out to 3*d.* a ton extra now, because it is six miles further up the river; that would make 5*d.* more tonnage.

7026. If an all-over toll were not established, would you be in favour of the 6*d.* toll on the Weston Canal being preserved?—Most certainly, I should.

Mr. *Pember.*] I have no question to ask you.

[The Witness is directed to withdraw.

MR. WILLIAM GILLETT, is called in; and, having been sworn, is Examined, as follows:

Mr. *Claude Baggallay.*

7027. YOU are Secretary to the Winsford Salt Workers' Association?—Yes.

7028. Your association, I believe, comprises about 1,650 members?—That is so.

7029. They are all working men, are they not?—Yes.

7030. And actual workers in the trade?—Yes.

7031. And you have held your office for some 20 years, have you not?—Yes.

7032. Is it the largest salt workers' association in the country?—Yes.

7033. What is your opinion as to an all-over toll against a mileage toll?—We are very strongly in favour of the all-over toll.

7034. Is that the opinion of your association?—That is the opinion of men on the executive committee as well.

7035. Are you authorised to come here and say that?—Very strongly.

7036. Do you agree in what the other witnesses have said as to you at the present moment being handicapped in the transit of salt from Winsford?—That is so.

7037. And that notwithstanding, I believe that Winsford has contributed a very large portion of the money that has been expended on the Weaver?—That is so.

7038. Do you know what proportion that has been, more than other towns?—About 60 or 70 per cent. of the whole of the funds.

7039. And yet at the present time they are upon the worst part of the navigation?—The navigation is complete for large vessels up to Northwich, and all the improvements are between Northwich and Winsford.

7040. Do you agree in attaching great importance to the trustees being able to complete the improvement of the bridge at Northwich, and with regard to Newbridge Lock?—Yes.

7041. Are your working-men owners of property at all in Winsford?—Some of them are.

7042. They are actually owners, are they?—Yes.

7043. Do you agree in what has been said that the introduction of a pipe line would be likely to ensue from the removal of the sixpenny toll to the Weston Canal?—The pipe line is the greatest obstacle that we fear.

7044. You mean obstacle to your progress?—Yes.

7045. Do you expect it is likely to come?—It is the sentence of death upon us if the pipe line comes.

7046. It is a sentence of death upon Winsford if the toll is increased?—Yes.

7047. Do you think that the removal of the sixpenny toll upon the Weston Canal would be likely to cause a pipe line to be made, or not?—Every removal of a sixpenny toll, in my opinion, from the Weston Canal would give the Salt Union the privilege of covering every yard of land they have at Weston Point like a flock of rooks in a cornfield.

Mr. *Claude Baggallay*—continued.

7048. In a paraphrase you agree with what I have suggested?—That is so.

7049. Do you think that the placing of a mileage toll would put any substantial disadvantage in the way of Winsford as against Northwich?—Quite so, because we are six or seven miles farther from the seaboard.

7050. And that distance, with a mileage toll, would put you at a substantial disadvantage?—Yes.

[The Witness is directed to withdraw.

Mr. *Claude Baggallay.*] That will be all the evidence.

I have a very few observations to address to your Grace and the Committee. There are three or four points that I will address myself to. The first point is this question of the all-over toll. Now we say that that toll ought to be maintained as it is at present; that is to say, there ought to be the same maximum toll to be charged for all these different places. We are not proposing by supporting the Promoters in this, to put anybody else at a disadvantage in the principle of it, because that is the principle upon which they are working at the present moment. At the present moment, in practice they do, to a certain extent, get an advantage over those further down the river as against Winsford, inasmuch as they have the disadvantage of the short distance for freights and demand for their vessels, and they get the advantage of being nearer the port. With regard to the amount of the toll, of course we do not want to starve the trustees. We should have liked, if possible, to have had some reduction made upon the present 1*s.*, but what we feel in this very strongly, that the completion of the navigation up to Winsford is vital to Winsford, and if it is necessary for the completion of that navigation and the borrowing of money to complete that navigation, that the trustees should have a shilling a ton against salt, we will still submit to the shilling a ton against salt compared with the 6*d.* a ton proposed by the Board of Trade. We would sooner have it than be at the disadvantage of having the trustees starved and the navigation not completely improved.

Mr. *Pelham.*] The Board of Trade do not propose 6*d.*

Mr. *Claude Baggallay.*] Ninepence-halfpenny. That is the first point. The second point to which I wish to address myself is the question of the sixpenny toll down below. That toll is purely a toll which has been imposed, as has been said over and over again, to protect this particular district—to prevent this trade being taken clean out of Cheshire or right away down the river bank. It is a curious thing that at the present moment, when the Salt Union are here to come and tell your Grace that this is an objectionable toll and ought to be removed, and can do no harm in its removal, I have before me one petition of the Salt Union against the Widnes

Brine

Brine Supply Bill in the House of Lords in 1890; it is sealed with their seal, and there are the signatures of 800 other people, besides all the other local authorities in this part of Cheshire. The scheme was to pump brine for manufacture, either in connection with chemical manufactures or otherwise at Widnes. The allegation is that "the removal of the industry to Widnes, either in whole or to any substantial extent, would be attended with the most disastrous consequences to your Petitioners the inhabitants hereinafter mentioned, and would involve their ruin." Then they say, "Under the powers of the Bill the Company would be empowered by means of the pumping works contemplated to raise brine in unlimited quantities and to convey it outside the county of Chester to Widnes for use in chemical works or for its conversion into salt." And they say, "As regards your petitioners, the traders" the effect would be, "First, to establishment a competition which, whilst wholly uncalled for in the public interest, would be most detrimental, if not ruinous, to your last-mentioned petitioners; and in the second place would be to diminish, if not altogether to absorb, the supply of brine to their works and upon which the prosperity of their trade depends." Then they say, "The traders would have in self-defence to adopt new means of carrying their brine to the same locality and to establish new manufacturing works there, involving not only great and unnecessary expense to your said petitioners, but also the discharge of the large number of men now locally engaged in the trade." I will not read any more of it. It shows that the Salt Union, when they thought somebody else was going to use the brine pipe and take it away, had the greatest objection to let it go upon the same ground on which we object at the present moment. But here again, supposing this toll were taken off the Weston Canal, the immediate result would be that we should not only have one pipe worked to the full extent but have other pipes taken down, because removing the toll would leave a ½*d.* toll upon the whole of the Weston Canal for the carriage of the salt after it had been manufactured at Weston Point; therefore, out of the spare 5½*d.* they have a clear margin upon which to pay for pumping the brine and sending it down by the pipe; as long as the 6*d.* remains there is no inducement to do it. But see the effect upon us. The effect upon us would be this that upon the brine being pumped out and taken away, we should get the whole of the consequence of the subsidence, and get all the disadvantages of the brine pumping, and yet get none of the benefits of the trade. I do not propose to say another word with regard to that point, I think I have laid before your Grace all the points, and I simply ask you to bear this in mind, that while I ask you to decide in favour of the schedule proposed by the trustees, of course care must be taken that the Weston Canal sixpenny toll is comprised within the other tolls, and not additional to them; that is clearly understood by my learned friends and myself; I do not think there will be any doubt about it.

Mr. *Pember.*] We cannot do it now by statute.

The Counsel and Parties are directed to withdraw.

Ordered, That this Committee be adjourned to To-morrow, Half-past Eleven o'clock.

Die Mercurii, 18° *Julii*, 1894.

PRESENT:

Duke of Richmond and Gordon, K.G.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Spicer.
Lord Hawkesbury.	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., in the Chair.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 6) BILL.

(River Lea, &c.)

River Weaver Navigation.

Mr. *Littler*.] I propose before addressing the Committee to call three witnesses to present my case to you.

Chairman.] You are for the Salt Union?

Mr. *Littler*.] Yes.

Colonel GEORGE HAMPSON MORRISON, is called in; and, having been sworn, is Examined, as follows:

Mr. *Littler*.

7051. You are a partner in the firm of Turner and Company, of Liverpool, and Turner and Morrison, of Calcutta and Bombay?—I am.

7052. You are a member of the Liverpool Chamber of Commerce?—Yes.

7053. And you attend here not merely as an individual trader, but on behalf of the Liverpool Chamber of Commerce and at their request?—Quite so.

7054. So far as they are concerned your evidence will be as regards the importance from the Liverpool point of view of low tolls upon salt upon the Weaver?—Exactly.

7055. Is it the fact that the question of tolls on the Weaver has for a long time engaged the attention of the Liverpool Chamber of Commerce?—Yes, repeatedly.

7056. And more especially the tolls upon rock salt?—That is so.

7057. I believe so far back as 40 years a number of Liverpool merchants promoted a Bill for reducing a toll on salt?—Yes, in reference to the Bill of 1857.

7058. From 1*s*. to what?—To 4*d*.

Chairman.] Did they pass that Bill?

Mr. *Littler*.

7059. No. (To the *Witness*.) The preamble of that Bill stated this: "That the trade in salt is restricted in consequence of the heavy duties levied thereon, and on the coal by which the same is taken up the river; the gross tolls are disproportionate to the value of the salt and other articles, and is far higher than is necessary for the maintenance and the purposes of the navigation. Is that a view that has been entertained continuously by the Liverpool Chamber of Commerce from that time to this?—Certainly.

Mr. *Littler*—continued.

7060. That Bill was lost, I believe?—Yes.

7061. It was opposed strongly by the county of Chester, who at that time derived a very large revenue from the surplus of the income of the Weaver?—Yes.

7062. Amongst others Mr. Guion, the founder of the present Guion line of steamers, pressed very strongly the question of the serious matter of the salt tolls?—He did.

7063. I think until the year 1888, the Chamber felt that the only way of obtaining a reduced toll after the decision of the Committee of 1857, was to get a reconstitution of the Weaver Commission?—Yes.

7064. As we know, the Weaver Commission, under a clause in their last Act, is to be reconstituted next year?—Yes; I believe that was the condition.

7065. In your view, rightly or wrongly, and the view of the Chamber of Commerce of Liverpool, what has been the effect of the contribution of the River Weaver Trust to the county rate?—We think the effect has been to put an unwarrantable tax upon a special industry

Mr. *Littler*—continued.

dustry, having a prejudicial effect upon its extension.

7066. In your view, has the existence of the present rate and tax upon the trade had anything to do, and, if so what, with the decline of the salt industry in Cheshire?—We think it has had an appreciable effect upon the decline of that industry.

7067. Is the salt trade one of great importance to Liverpool?—Very great.

7068. Not only as an article of commerce, but also in relation to other trades?—Yes, from both points of view.

7069. Will you kindly explain to his Grace and the Committee how?—As regards other trades, it has a great effect upon the shipping industry. Vessels take salt as ballast instead of stones and so forth, because they are able to earn a small rate upon its sale, and in that way vessels are enabled to proceed to sea, which they otherwise would not be able to do.

7070. Is it not the fact that the opportunity of being able to get cargo which pays somewhat, in lieu of profitless ballast sometimes determines where the ship will go?—Yes.

Chairman.

7071. Do I understand that if they cannot get salt as ballast they cannot go to sea?—Many vessels cannot go to sea without ballast of some kind; they cannot get a cargo, and they have to take ballast of some nature, and inasmuch as they can earn a very small freight upon salt, it is better to take salt than anything else as freight.

Mr. *Littler.*

7072. Than stones or other profitless ballast?—Yes.

Chairman.

7073. They could get to the sea?—Yes, but it would be a much more expensive way of doing so.

Mr. *Littler.*

7074. Is it not therefore the case that it is important to the shipowner, in considering to what port he will send his ship, to see what he can get outwards in the event of his not getting a really profitable cargo?—Yes. Lines of steamers make Liverpool their port which would not do so if it were not for the salt they get from Liverpool; they complete their cargoes with salt, which gives them a very small freight; but still that freight makes all the difference between coming to Liverpool and not coming to Liverpool.

7075. A great number of steamers come to Liverpool which would not come but for this traffic?—Yes. Some lines of steamers take a very appreciable quantity of their cargo in salt.

7076. And anything tending to make the salt trade better will be better for Liverpool?—Yes; anything that hurts the trade tends to depress the port, tends to diminish labour, and indirectly affects our municipality in our rates.

Sir *Richard Paget.*

7077. Is not the price of salt in some degree regulated by foreign competition?—Yes, that is so.

Mr. *Littler.*

7078. And the greater the foreign competition the more necessary it is, if Liverpool is to get the export of salt, to have it brought there cheaply?—Yes.

7079. Naturally if you have less cargo in Liverpool you have a diminished quantity of labour and diminish the dock dues, and incidentally increase the rates of the city?—Yes. Salt is very important to us all round.

7080. At the present moment you are obliged to sell Cheshire salt in Calcutta at about 17*s.* 6*d.* a ton?—At the present moment it is nearer 16*s.* 6*d.*

7081. It has gone down since I had my proof?—Yes.

7082. Out of the 16*s.* 6*d.*, a shilling being the Weaver toll is over 6 per cent. of the settling price in Calcutta?—Yes, about 6 per cent.

Chairman.

7083. Why has it gone down in Calcutta?—It is hard to say exactly. I think the excessive toll in Calcutta at the present moment in relation to the demands of the market varies considerably from time to time.

7084. You do not connect it with the tolls on the Weaver?—No.

Mr. *Littler.*

7085. Have the Germans sent a great deal of salt to Calcutta this year?—Yes, a very considerable amount.

7086. What do you say to a toll of 1*s.* for 14 or 15 miles on a product which has to be sold at such a price as that in the far East?—In our opinion it is altogether excessive; it acts as a considerable drawback in the export of salt from Liverpool in comparison with other ports.

7087. Is it the fact that in India there has been a considerable development of the native salt industry?—In India and Asia generally.

7088. How is the salt produced; in its natural state, or by evaporation?—Principally obtained by evaporation from sea-water.

7089. In addition to that has there been a great increase in the export of salt from Middlesbrough?—Yes.

7090. And also from Continental ports?—Yes, and particularly the German ports.

7091. I believe you have prepared a Table showing that?—I have.

Chairman.] How does that bear upon this question, because we are dealing with the tolls upon the Weaver?

Mr. *Littler.*] The way we put it is this: that unless they want to kill the salt industry altogether, they must be content with a very low toll, or we shall be very much reduced in our quantities, and it is bad for them if they have restricted powers.

Chairman.] The German ports may send as much salt as they choose and can.

Mr. *Littler.*] Yes. Your Grace will remember the old maxim of railway people and canal people that the toll ought very much to be fixed by what the traffic will bear. We shall say that this is a toll which the traffic will not bear, and it ought not to be inflicted.

Chairman.]

Chairman.] I really do not think that the question of the foreign ports bears upon the question.

Mr. *Littler.*] I am quite in your Grace's hands, and I do not mind so much about the particular figures as the fact that it is an article that is subject to great competition.

Chairman.] If we reduced these tolls to nothing, what effect would it have upon German ports? It would not prevent them taking their salt there, therefore I do not see the relevancy of it. I should not go into the details of these German ports; it does not affect the question.

Mr. *Young.*] What is the present toll?

Mr. *Littler.*] The present toll is 1*s.*

Sir *William Houldsworth.*] I do not know whether it would be convenient to relieve me of a difficulty in the examination, but it appears to me that the amendment which you put in on page 5 is a higher toll than the Board of Trade Schedule. I may be wrong. It is on page 5; 0·50*d.* instead of 0·40*d.* for Class A. I have no doubt there is some explanation to be given of it. Take the Schedule. It is evident that the tolls in your amendment are higher than the tolls in the Board of Trade Schedule.

Mr. *Littler.*] Higher for A., but lower for B. Salt is in B.

Sir *William Houldsworth.*] That is 0·50*d.* instead of 0·60*d.* in B.

Mr. *Littler.*] Yes, for A., which is 4·20, and for B. 6·30*d.* We suggest that that way hit us upon the articles in A. A. and B. should be classed together, and B. 0·50*d.* all round.

Sir *William Houldsworth.*] The effect would be that in B. you would get 0·50*d.* instead of 0·60*d.* for the first 10 miles. Then if you come to the remainder of the distance, you propose a little higher toll; then even on B. you propose 0·45*d.* instead of 0·30*d.*?

Mr. *Littler.*] We do.

Sir *William Houldsworth.*] Perhaps it does not affect you very seriously.

Mr. *Littler.*] Yes, it affects us.

Sir *William Houldsworth.*] Then in the proviso the Board of Trade provides that the maximum toll for salt shall be 0·60*d.* per ton per mile for any part of the distance.

Mr. *Littler.*] We are excepted from the 0·30*d.*, but we wanted for the Weaver 0·45*d.* without any exception; that is to say, we reduce the 0·60*d.* on the first part of the journey by 0·15*d.*, and on the latter part of the journey we reduce it by 0·10*d.*; then we equalise it by making a certain alteration for the better in the higher classes, that is to say, manufactured goods, which, according to us, would be 1·0*d.* instead of 0·70*d.* for the first 10 miles, and 0·75*d.* in place of a halfpenny for the remainder.

Sir *William Houldsworth.*] You raise the other goods, but your Schedule when worked out would give you some reduction on the Board of Trade Schedule.

(0.161.)

Mr. *Littler.*

7092. Yes, an appreciable one. (*To the Witness.*) The Liverpool salt trade, I think, has declined since 1883 from 958,000 tons to 542,000 tons in 1892?—Yes.

7093. While the Middlesbrough trade has risen from 1,000 tons in 1886 to 76,000 tons in 1892?—Yes.

7094. The Hamburg trade increased from 95,000 tons in 1887 only, to 189,000 tons in 1892?—Yes.

7095. Therefore it seems that not quite but very nearly what Liverpool has lost, the salt trade in the other parts has gained?—Practically that is so.

7096. What do you say is one of the main causes of that?—One cause is the increased toll upon the salt, the excessive toll as we reckon it.

7097. And it naturally follows that when prices are decreasing very much, people seek to save 2*d.* or 3*d.* a ton in the purchase of their commodities?—They do so at all times, especially when trade is bad.

7098. Middlesbrough has practically no toll to pay?—None at all, except the ordinary town dues; nothing in the nature of toll.

7099. As to the consumption in eastern counties especially, do you find any practical falling off in the demand there?—No, practically not. The demand is well kept up, but the consumption of Liverpool salt has gone down.

7100. And practically it comes out of the transference of the Liverpool trade to other centres?—Yes, that is so.

7101. You would prefer a gross toll for all commodities on the Weaver; do not you believe that such a toll as that proposed by the Salt Union is one that would afford material relief?—Yes, certainly.

7102. What do you say to a bar toll of 0·60*d.* per ton on the salt on the Weston Canal?—The Liverpool Chamber of Commerce has a strong objection to it. In the first place, it considers that, inasmuch as it bars the Liverpool end of the canal, but leaves the Manchester end practically open, it gives an unfair advantage to Manchester in their competition with Liverpool; and in the second place, generally, we object to a bar toll as being a restraint upon trade, imposing an artificial restriction, and thereby destroying the advantage which we should otherwise derive from the geographical position of Weston Point.

7103. I will ask you only one other thing which I should have asked before. Is it not the fact that while the toll has been kept up rigidly on the Weaver, the Liverpool charge, which was 6*d.* in 1858, was reduced first to 4½*d.*, and since 1881 it has been reduced to 3*d.* a ton?—Yes; those are the dock dues.

Cross-examined by Mr. *Pember.*

7104. You can hardly say, can you, that the salt trade has all along languished in consequence of the dues upon salt charged by the Weaver Trustees?—We had not the same competition in previous years.

7105. I notice, for instance, in the Table we put in, the tonnage of white salt down the

Mr. *Pember*—continued.

Weaver in 1866 was 736,000 tons; it rose gradually until it culminated in 1881, with a tonnage of 1,160,000, this toll going on all the time?—Very likely; I have not those figures.

7106. It could flourish then under those tolls till this competition began?—Yes. Because then there was only practically the Cheshire supply.

7107. So what the trade is suffering from is the loss of the monopoly of the Cheshire supply?—Yes. That is largely the case.

7108. You put it that the Weaver Navigation tolls must go down till your position is equated, say with Middlesbrough and West Hartlepool and also with the German towns?—I do not think we could reasonably go that far, but we think you might help us.

7109. At the expense of the creditors of the Weaver Navigation?—That is a matter of opinion.

7110. Do you think that would be fair?—We do not think it would be right to make the Weaver insolvent.

7111. Nor even to stop its elasticity for improvements in the future, I suppose?—We think the high toll is having that effect very largely.

7112. That is not an answer to my question; you would not say it was right so to reduce the earning power of the Weaver Navigation as to stop their means of improving it by capital expenditure?—No; not if the improvements are requisite.

7113. Since that Bill, which was introduced and thrown out in 1857, the whole character of the Weaver Navigation has been altered, has not it?—Yes; I believe it has been considerably improved.

7114. The size and the description of boats that can come up in consequence of the improvements are altogether different to what they were at that time?—I am not the best evidence upon those topics.

7115. As you are not able to give evidence upon those topics, I may take it you do not know much about it?—I do not know the details of the navigation; I do not know anything about the size of the boats, and so on.

7116. With regard to exports from Liverpool, I see, taking late years, and without going far back, they keep pretty constant up to as late as 1888; I see, for instance, in 1885 they were 832,000 tons, and in 1888 they were 812,000 tons?—Yes.

7117. And in the meantime there were two years in which they were less—748,000 in 1886, and 768,000 in 1887?—There were special reasons for the larger figure in 1888; there was a very exceptional reason. The Salt Union was formed towards the close of the year 1888, I think October 1888. In the meantime the salt suppliers offered their salt at exceptionally low prices. There was a rumour of the intended formation of the Union, and consequently merchants took advantage of the low prices and shipped very extensively to foreign markets in anticipation of dearer salt.

7118. Which anticipation, I think you said, has not been realised?—I did not say that; salt is dearer than it was.

Mr. *Pember*—continued.

7119. Since the formation of the Salt Union it has been dearer?—Certainly.

7120. Do you attribute that at all to the Salt Union?—Naturally I do.

7121. I see there is a sudden drop between 1888 and 1889, the date of the foundation of the Salt Union, from 812,000 to 596,000?—Yes.

7122. Which drop has been accentuated since; it is now 542,000?—The drop is accounted for to a large extent by the anticipation of demand when prices were low.

7123. It is not accounted for by the increase at Middlesbrough and Hamburg?—It is to some extent.

7124. Not altogether?—If you take the anticipatory movement I described, and add that to the increase in the Middlesbrough and Hamburg trade you will pretty well get it.

7125. As matter of fact the anticipatory movement, as you call it, only raised the quantity from 768,000 in 1887 to 812,000 in 1888?—That is pretty heavy.

7126. It is 50,000?—Yes.

7127. Since then you have had four years to distribute that over, if you distribute 42,000 over four years it is only 10,000 tons a year?—Yes; but there are other reasons as well; we are not only in competition with Middlesbrough and Hamburg; we are also in competition with America on the one hand, and with Asia on the other.

7128. The poor Weaver Trustees cannot very well help that?—They can to some extent by making salt cheaper.

7129. I think you told Mr. Pelham at the Board of Trade inquiry, that the difference between the price of Hamburg salt, and the price of Weaver salt was 2*s.* 6*d.* a ton?—Yes, it is less now, it was so then.

7130. What is the difference now?—Only about 1*s.* now.

7131. Does it occur to you that if the Weaver Trustees did what you ask them to do, they would lose the whole of their tolls?—If they gave 6*d.* it would be a very material help to us.

7132. That 6*d.* would be required to wipe out the difference between you and Middlesbrough?—Yes, somewhere about.

7133. Have you considered it a matter of interest to see what difference it would make in the tolls of the Weaver Navigation if you had your will about salt?—I do not think that is within my province.

7134. Taking your proposed toll for salt instead of the toll we have been receiving, would make a difference of between 9,000*l.* and 10,000*l.* a year to the Weaver Navigation; it would turn the possible receipts from 31,000*l.* to 21,000*l.*?—It appears to me that that is resting on the assumption of your carrying the same quantity of salt; we say if you reduced the toll you would get a great deal more salt.

7135. If we reduced your toll by 6*d.* it would not give you any advantage over Middlesbrough?—It would help us materially.

7136. Would it give you any advantage over Middlesbrough?—On equal terms we could more than hold our own; it would remove the disadvantage, and that would be equivalent to an advantage.

7137. It

Mr. *Pember*—continued.

7137. It would not get rid of the difference between you and Hamburg?—It would go a long way towards it.

7138. Would people give 6*d.* more for your salt than Hamburg salt?—Yes.

7139. Why?—Because it is better.

7140. Does it command a higher price?—Yes.

7141. If it commands a higher price you are all right?—No; if you were in the trade you would not think so.

7142. You would prefer a gross toll for the Weaver, would not you?—I am afraid we are indifferent so long as we get a lower toll.

Chairman.

7143. I thought you said you were in favour of a gross toll?—I do not think I said that; if I did, it is a mistake. We really have no preference. We say the toll is excessive, and anything that would reduce it would meet with our support.

7144. You do not care whether it is a gross toll or a mileage toll?—No, so long as the toll is reduced. As a matter of opinion we think a mileage toll is a fair basis to go on.

Mr. *Pember.*] That is the opinion you have come to since the inquiry was held before the Board of Trade.

Chairman.

7145. I remember now, it was before Mr. Pelham that you said you were in favour of a gross toll?—Yes, our position is that we think the toll is too long, and we want to reduce it.

Re-examined by Mr. *Littler.*

7146. Having regard to the nature and price of the commodity, and the distance it has to be carried, in your judgment is 1*s.* too much?—We think so, decidedly.

7147. The quality of the salt is such that if it has fair play, you think you might hold your own much more nearly than you do?—That is so.

7148. If you had a reduction of 6*d.*, which you say would equalise you with Middlesbrough, you think your salt would then be in a fair position to complete with Middlesbrough salt?—Yes.

Mr. *Littler*—continued.

7149. As regards the reduction of 9,000*l.* or 10,000*l.* which my learned friend says would be involved by your proposal, that entirely depends on the quantity of salt carried?—Yes.

7150. Do you believe that unless there is a considerable reduction you will even keep up your present quantity?—No; I think other people will go ahead, and shipments from Liverpool will go astern.

7151. You think their high toll will kill their own goose?—Yes; we think it would be bad policy from their own point of view.

7152. At the present moment the Salt Union are only paying 3 per cent.?—I think the last dividends were only 2½ per cent. I am not a shareholder.

7153. Now, as to the contribution to the County of Chester, do you think it is a desirable thing in the interests of the trade that large sums of money should be paid in relief of the county rates?—Distinctly not.

Chairman.] That is a bargain made some years ago.

Mr. *Pember.*] We are bound to hand over the surplus to them.

Mr. *Littler.*] The bargain only comes into force in the case of a surplus.

Chairman.] If you reduce the tolls to a very low rate, the Weaver Trustees cannot carry out their bargain with the county.

Mr. *Littler.*

7154. I will deal with that when I come to address you. (To the *Witness.*) One thing more. At the present moment they are paying on a debt of 204,000*l.*, at the rate of 16,000*l.* a year; that is, they are saddling the navigation with 8 per cent. in respect of borrowed money; do you think that is a reasonable or a business-like thing to do?—No; I do not.

Witness is directed to withdraw.

MR. JOHN MANGER FELLS, is called in; and, having been sworn, is Examined, as follows:

Mr. *Freeman.*

7155. ARE you the Superintendent of the Cheshire district of the Salt Union?—I am.

7156. All questions connected with the carriage of salt on the River Weaver come under your cognizance?—Eventually.

7157. Are the Salt Union the traders who send the largest tonnage down the Weaver?—They do send the largest tonnage. In the year ending March 1894, they sent 496,969 tons of white salt, and 90,841 tons of rock salt.

7158. I think, even at the present time, their percentage of the total amount sent down the Weaver is 68·45 per cent.?—That is so.

7159. A few years ago it was even as high as

Mr. *Freeman*—continued.

87 per cent. of the total carriage on the Weaver?—Yes.

7160. Are the figures you gave us for 1893 a fair criterion of the total carriage?—No, they are not, owing to the fact that there was a coal strike lasting for 17 weeks, and which, of course, considerably curtailed the export of salt. Quite apart from the coal strike, however, trade was generally bad that year.

7161. I think you have a Table showing the percentage of carriage by the salt trade as compared with all other traffic on the Weaver?—Yes; I would like to hand in that statement.

The Witness hands in the following Table (X).

(X.)

SALT UNION, LIMITED.

Parliamentary Inquiry, 1894.

Weaver Navigation (including Weston Canal).

Statement showing the Percentage of the Revenue derived from Tolls paid by each Commodity carried during the Years ending 31st March 1884–1893:—

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
White Salt	82·57	83·02	81·04	82·84	81·57	79·14	74·20	74·73	66·59	64·65
Rock	4·59	4·15	4·32	3·37	4·60	4·93	4·36	4·50	4·31	3·70
Panscale	–	–	–	–	–	–	·01	–	–	–
Brine	·04	·03	·01	·03	–	–	–	–	–	–
	87·20	87·20	85·37	86·24	86·17	84·07	78·57	79·23	90·70	68·45
Coal	5·53	5·25	4·69	3·58	2·48	2·14	2·82	2·47	1·58	1·61
Goods (including Alkali)	4·11	4·48	6·25	6·53	7·19	8·72	12·57	12·68	13·03	16·15
Crates	·45	·42	·46	·45	·48	·81	·98	·96	·86	·85
Clay	·44	·42	·42	·30	·30	·26	·37	·63	·73	·76
China Stone	·45	·48	·53	·56	·60	·56	·90	·81	1·13	1·13
Flints	·92	·87	1·08	1·17	1·21	1·35	1·49	1·39	1·61	1·48
Stone	·14	·18	·20	·17	·26	·20	·18	·13	·08	·10
Iron Ore	·20	·16	·32	·28	·53	·76	·99	·53	·53	·56
Sulphur Ore	·08	·07	·09	·07	·09	·09	·12	·10	·09	·11
Bone Ash	·01	·01	·02	·03	·05	·08	·04	·05	·04	·05
Sand	·03	·03	·03	·04	·05	·05	·06	·06	·05	·05
Bricks	·01	·00	·03	·02	·04	·03	·12	·03	·04	·03
Lime	·01	·01	·02	·02	·02	·01	·01	·01	·04	·02
Bones	·00	·02	·03	·02	·02	·03	·02	·03	·03	·02
Saltcake	·02	·03	·01	·04	·02	·01	·02	·01	·09	·14
Cinders	·01	–	–	–	–	–	·01	·01	·02	–
Chertstone	·01	·01	–	·01	·01	·01	·01	·01	–	–
Limestone	–	–	–	–	–	–	–	·01	–	–
Flags	–	–	–	–	–	–	–	–	–	–
Gravel	–	–	–	–	–	–	–	–	–	–
Pitch	–	–	–	·02	–	–	–	–	–	–
Soda Crystals	–	–	–	–	–	·24	·09	–	–	–
Soil	–	–	–	–	–	–	–	·11	8·50	7·90
Rubbish	·01	·03	–	–	–	–	–	–	–	–
Other articles	·37	·33	·45	·45	·48	·58	·63	·74	·65	·59
	100	100	100	100	100	100	100	100	100	100

Note.—The year ending 31st March, 1894, is not included in this Statement, owing to the abnormal conditions consequent upon the Coal Strike.

Mr. *Freeman*—continued.

7162. To compare the figures on that Table, I see, taking the year 1893, your percentage for salt was 68·45, while the next highest articles, goods, including alkali, the percentage was only 15·15 ?—That is so. The difference is due, not only, of course, to the larger tonnage, but also to the fact that the Weaver Trustees charge 50 per cent. more for salt than they do for alkali.

7163. Do the Weaver Trustees at present still charge their maximum on salt ?—They do.

7164. While other articles are charged a less rate, though of much greater value ?—That is so.

7165. I think that is worked out in detail in Table U., which is on the Minutes of Friday, the 13th?—Yes. In that statement we have drawn a comparison as to toll on the value of various commodities on the basis of the cost of those commodities at the works at which they are produced.

7166. You there find, do you not, to compare two things, that rock salt, the approximate value

Mr. *Freeman*—continued.

of which is 2*s.* 6*d.*, is charged a percentage of toll amounting to 20 per cent. ?—That is so.

7167. While alkali, which is worth 3*l.* 10*s.* per ton, is charged 1·01 per cent., and certain other things even at a lower percentage still ?—That would be on the basis of the Board of Trade proposals, and not on the basis of the actual toll charged by the trustees; but the actual toll charged by the trustees shows a greater difference even, owing to the fact that on this navigation salt is charged 50 per cent. more than alkali.

Sir *William Houldsworth.*

7168. One shilling against 8*d* ?—Yes.

7169. Whereas on every other canal salt is carried at a lower rate than alkali ?—Yes.

Mr. *Freeman.*

7170. You have had a statement drawn out showing the Schedules on various canals upon which salt is carried, and on which salt is treated not less favourably than articles included in Class C. ?—Yes; I hand in that statement.

(*Handing in the following Statement W.*)

18 *July* 1894.

(W.)

SALT UNION, LIMITED.

Parliamentary Inquiry, 1894.

Weaver Navigation.

Statement of Acts relating to Canals in which Salt is treated not less favourably than articles now included in Class A. :—

Birmingham Canal Navigation.

5 Will. IV., c. 34, s. 131. 9 & 10 Vict., c. 244, s. 24.

Limestone is the only mineral for which there is a lower maximum toll than salt. There is no attempt at classification, however.

Leeds and Liverpool Canal Company.

10 Geo. III., c. 114, s. 47.

Leeds and Liverpool Canal.—There is a special rate for salt used as manure on lands cut through by the canal, otherwise it is not specially mentioned.

Lanc. Canal Transfer Act 1864, s. 6.

Lancaster Canal.—Salt ores and salt rock in lowest class with the exception of slack being classed with stone, gravel, sand, clay, &c., and below coal, coke and cinders.

Manchester, Sheffield and Lincolnshire Railway.

11 & 12 Vict. c. 86.

Ashton Canal.—Salt is lower than coal, cannel, slate, flags, and iron ore.

9 & 10 Vict. c. 267.

Peek Forest Canal.—Salt is lower than flags, slate, dung, sand, and gravel, and also than coal, except when used for lime burning.

9 & 10 Vict. c. 267.

Macclesfield Canal.—Toll authorised for salt, ½*d.* per mile, as against ¾*d.* for coal, slack, cannel, culm, and cinders.

Sharpness New Docks and Gloucester and Birmingham Navigation Company.

37 & 38 Vict. c. 181.

Worcester and Birmingham Canal.—Salt is in lowest class but one, which only contains lime and limestone. It is here classed with paving stone, gravel, sand, &c., and is in a lower class than coal. Special tolls are also authorised for salt and also for slack for the manufacture of salt.

8 Geo. III., c. 37, pages 152 & 153.

Droitwich Canal.—Salt is in the lowest class, with coal, stone, and flags.

15 Vict. 1852, s. 26.

Droitwich Junction Canal.—Salt is classed with coal, iron, ironstone, in the lowest class but one, which only contains lime and limestone.

North Staffordshire Railway Company.

Will. IV. 1831 c. 55 & 27 & 28 Vict. 1864, c. 308 & 10 & 11, Vict. c. 108, 1865, Sch. A.

Trent and Mersey Navigation.—Salt is classed with coal, coke, &c., in a lower class than iron, clay, and stones.

Shropshire Union Canals.

7 & 8 Vict. Geo. IV. c. 102, s. 24.

Ellesmere and Chester Canals.—Rock salt in lowest class, with coke, culm, and limestone.

London and North Western Railway.

27 & 28 Vict. c. 288, s. 7 & 8. 48 & 49 Vict. c. 88. s. 67 & 69.

Lancaster Canal (North End).—Salt to be carried at the same toll as coal, cinders, slack, ironstone, &c. No lower toll is authorised for anything.

32 Geo. III., c. 101, s. 84, 86, 88, & 116, 59 Geo. III., c. 64, s. 14. 1 Vict., c. 121, s. 11, 21 & 29.

Lancaster Canal (South End).—Maximum toll authorised for salt is the same as for slack, flags, stone, limestone, gravel, &c., and is lower than coal. No lower toll is authorised for any article.

34 Geo. III., c. 53, s. 91. 10 & 11 Vict., c. 159, s. 37 & 41.

Huddersfield Canal.—Salt is, with limestone, lower than any other commodity, being treated preferentially to coal, coke, sand, stone, &c.

Great Western Railway.

33 Geo. III., c. 112. 35 Geo. III., c. 72. 39 Geo. III., c. 60. 9 & 10 Vict. c. 278,

Stratford-upon-Avon Canal.—The toll authorised for salt carried between the Worcester and Birmingham and Warwick and Birmingham Canals is 4*d.*, as against 10½*d.* for coal.

Orders of Board of Trade, 5 May 1868, and Railway Commissioners, 8 March 1877.

Kennet and Avon Canal.—Toll authorised for salt is the same as for gravel, clay, sand, and road materials, and the toll per mile is the same as for coal, coke, culm, and stone. These articles have, however, a lower limitation.

Mr. *Freeman*—continued.

That statement gives the various Acts in which salt is specially referred to; that is to say, Acts passed not in pursuance of the Act of 1888, but Acts previous to that year. That Table gives the Schedules of other canals upon which salt is carried, comparing them with the unfavourable way in which salt is carried upon this canal.

Chairman.] I do not think that the comparison is worth anything; we cannot compare other canals with this. We do not know all the circumstances. What we want is to confine ourselves to this particular case.

Mr. *Freeman.*

7171. I will just ask you this. In your opinion, is the rate which is charged for the carriage of salt upon this navigation a fair or reasonable rate?—I think it is altogether an unfair and unreasonable rate.

7172. Just state shortly your reason for that?—The toll is altogether out of proportion to the value of the article carried, and in addition to that, salt is treated in a different manner on this canal to what it is on any other canal; that is to say, a higher toll is charged upon it than would be charged upon any other canal.

7173. In your experience do you know of any instance where salt is actually charged a higher rate than manufactured articles?—No, I do not.

7174. Do you also find that in this particular case, while salt is not given the benefit of the lower Table per mile for the second ten miles, which is accorded to all other goods in Class B.?—Yes, that is so; in that respect it varies from other Schedules.

7175. In your opinion is that a hard case?—I do not think it is at all a fair provision.

7176. Do you also find that not only is the toll upon white salt proportionately higher than what is charged in other cases, but actually the toll charged for articles as regards their value is lower than the general percentage?—That is so.

7177. Now a question or two about the Salt Union Works. Are your works situated at distances of 13, 14, 18, 19 and 20 miles on the canal?—Yes, we have works at those varying distances.

7178. And under the Board of Trade Schedule the toll for the last three distances would be the same sum, would it not?—That is so.

7179. That is to say 9·50*d.*?—Yes.

7180. Whereas, do you find that in other cases salt is charged a varying rate according to these three distances, that is to say, less for 19 miles than for 20 miles, and less for 18 miles than for 19 miles?—Broadly, that is so, upon every canal.

7181. So that salt from works 13 miles up the river, under the Board of Trade proposal, would pay 1·70*d.* per cent. for salt from works 20 miles up?—That would be the case.

7182. Whereas the usual difference is as much as 3·15*d.*?—That is so.

7183. Do you find, under the Weaver Schedule in Class C., that the distances are much less than usual for salt?—That is owing to the exceptional treatment of Class C. goods.

Mr. *Freeman*—continued.

7184. You have guided yourself, have you not, not upon the Schedule that you lay before their Lordships, but by what you find taking place in similar cases upon other canals?—Yes, by the general principle, so far as we can find it.

7185. So, broadly speaking, do I understand you to say that you contend that, having regard to the value of the articles carried, the difference between salt and Class C. goods should be a considerable amount greater than it is under the proposed Schedule?—That is so; on most of the Schedules it is about 50 per cent. higher on articles in Class C. than on articles in Class A. and B. Upon this canal the difference is very much less.

7186. Under the Acts the trustees are entitled to charge 1*s.* a ton on salt, reckoning 40 bushels to the ton?—Yes.

7187. That brings you to a shilling for 40 bushels which equals about 6*d.* a ton?—For rock salt.

7188. That answer applies to rock salt?—Yes, to rock salt only.

7189. On the white salt you pay the full maximum of 1*s.*?—Yes.

7190. That is 1*s.* a ton?—Yes.

Sir *Richard Paget.*

7191. Is that a manufactured article?—Yes, white salt is a manufactured salt.

Mr. *Freeman.*

7192. At the same time I believe the trustees have power, under their Act, to charge 1*s.* a ton for alkali?—They have the power, but they have never exercised it.

7193. They actually charge for alkali less than they charge for salt?—Yes, that is a great anomaly on this canal.

7194. Let me ask a question about Weston Point; have you works at Weston Point?—We have.

7195. Is that close by the Weston Canal?—Yes.

7196. That canal is four miles long, but your salt traffic would pass over one and a quarter miles?—Yes.

7197. At present there is a bar-toll upon the Weston Canal?—That is so.

7198. And, in your opinion, is it fair and reasonable that that should continue?—No, I do not think it is.

7199. As a matter of fact, do you send salt at present by the Weston Canal?—No, the effect of the bar-tolls is really that we send the salt made at these works by other navigations, giving us more favourable tolls than the Weaver.

7200. What is the toll which you pay?—It depends by which route we send it; we can get by the Mersey practically from these works at 1*d.* per ton through the Bridgwater Lock by the Bridgwater Canal. The Bridgwater Trustees are the owners of the works, and we pay them 3*d.* a ton royalty for salt made at the works, and they let us use the Bridgwater Canal to get into the Mersey at a toll of one penny per ton in addition to the royalty of 3*d.*

7201. A penny

Sir *William Houldsworth.*

7201. A penny a ton for the distance?—Yes.

7202. You said it was 3*d.*?—The 3*d.* royalty is the landlord's.

7203. And a penny for the canal?—Yes.

Mr. *Freeman.*

7204. So far as your salt is concerned is the effect of the bar-toll to keep the traffic off the Weaver Canal?—It is simply to deprive the Weaver Navigation of revenue.

Sir *William Houldsworth.*

7205. You said there was another alternative way of getting your salt besides the Bridgwater?—Yes, that is the only way open to the Mersey; we can go inland, or go to Manchester through the town of Manchester and down the Ship Canal.

7206. And with regard to the Mersey at Weston Point the canal affects you?—Yes.

7207. You have only one alternative route into the Mersey?—Only one alternative route into the Mersey.

7208. And one that you have used before?—That is so.

7209. It is ?*d.* for royalty and 1*d.* toll, as against 6*d.* toll the other way?—Yes.

7210. The 3*d.* is the same in both cases; you pay the 3*d.* whichever way you send it?—It depends upon what we pay the landlords in other places as royalty.

7211. For tolls the 1*d.* has to be compared with 6*d.*?—Yes, *quâ* toll.

Mr. *Freeman.*

7212. It is suggested that if the bar-toll was removed you could remove the whole of your works from Winsford and take the brine out of the district; as a matter of fact, are you bound by your leases at the present time?—Yes; we have many leases extending over the next 20 years, and there are also conditions in the leases as to working a certain number of plans upon the leased property.

7213. Do you say that the removal of this bar-toll will affect the carrying on of your works at Winsford?—I do not think it would.

7214. You regard it simply as a restraint of trade?—Simply as a restraint of trade, locking up a particular waterway, and as depriving the Weaver Trustees of toll because the bar-toll can be dodged.

7215. I presume but for your leases you could go down there now?—We could do so, but when you have a large amount of capital sunk in works at various places, sometimes a difference of 5*d.* in the toll would not justify the removal of all your capital from one place to another.

7216. You have to consider the question of how far any modification of toll that you suggest would affect the revenue of the Weaver Trustees?—Yes, and I prepared the statement on that.

7217. Is your trade very much interested in the River Weaver as a navigation being maintained in a proper and efficient condition?—As it does 68 per cent. of the total trade upon the Weaver, it must have a preponderating interest in having a good navigation.

Mr. *Freeman*—continued.

7218. As regards the part between Northwich and Winsford it does practically the whole trade?—Between Northwich and Winsford, there are other salt manufacturers there.

7219. Are there any chemical works above Northwich?—No.

7220. Have you prepared a Table which would give a certain revenue to the Weaver Trustees, and yet put the tolls upon a more equitable basis?—Yes, I have prepared a Table.

7221. Is that Table O.?—No; that is Table S., showing the total amount receivable from the tolls on the basis of our proposals.

7222. That is prepared by you for the purpose of showing the result of the suggested tolls producing revenue to the Weaver Trustees?—It is the working out of our amendment in figures.

7223. It would produce, would it not, a total revenue of 37,932*l.*?—Yes; but that is of course on the basis of the tonnage of 1893, which we think is a very low tonnage to take, owing to a variety of causes: for instance, during the year ending March 1893, we had an autumn strike extending over several weeks, which left its effects upon the tonnage.

7224. So that these figures would have to be increased by the normal development of trade under ordinary circumstances?—That is so.

7225. First of all, take Class A.; you suggest for the first 10 miles 0·50*d.* per ton per mile; for the second 10 miles 0·45*d.* per ton per mile?—Yes.

7226. Then when you come to Class B., which includes your salt, you get for the first 10 miles 0·50*d.*, and for the second 10 miles 0·45*d.*; that is to say, you make A. and B. similar?—We make A. and B. similar as they generally are in the Canal Schedules.

7227. Then when you come to Class C., which includes goods, and therefore includes alkali, for the first 10 miles you have 0·85*d.*, and for the second 10 miles 0.65*d.*?—That is so.

7228. Then Classes 1 to 5 are not very important?—There is not a very great tonnage carried.

7229. For the first 10 miles it is 1*d.*; and for the second 10 miles 1·75*d.*

Chairman.

7230. I asked a question about that because you said the tolls should be regulated by the value of the article carried?—Not absolutely, of course, relatively. That is the principle embodied in the classification.

7231. Do not Classes 1 to 5 contain a great number of very low priced articles?—They do, if bought singly. That is to say, they are carried in large quantities, and we have, to a certain extent, worked upon the general principle so far as we could find one in the Canal Schedules of the country.

7232. Then you charge for them 1*s.*?—Yes; 1*s.* for 13 miles.

7233. One penny per ton per mile for the first 10 miles?—Yes.

7234. As against 0·70*d.* in the Board of Trade Schedule?—Yes.

7235. You increase it upon the articles in Class 1 to 5?—That is so.

Mr.

Mr. *Littler.*] You said, and it is already on the notes, you will find a set of examples; it is a Table marked U, put upon the notes.

Chairman.] Classes 1 to 5 are articles of very small value, but the charge upon them is much higher than upon articles of a much higher value, which is a principle which those gentlemen do not advocate.

Sir *William Houldsworth.*

7236. Take as an instance Class C. goods, which is 15*d.*; are those goods carried at present at 8*d.*?—Yes, they are carried at 8*d.*

7237. And the same applies to all these things except crude salt?—That is so, save coal.

7638. What is the coal carried at?—Sixpence per 30 cwt.; 4*d.* per ton.

7239. Except coal, all the other articles are now carried at 8*d.*?—Yes. There is some pottery that they carry at special rates.

7240. Chemicals would be raised from 8*d.* to 11 $\frac{1}{10}$*d.* from Northwich to Winsford?—Yes.

Chairman.

7241. In point of fact, all these other articles would be carried according to your Schedule at an increased rate, with the exception of salt, which would be reduced?—Yes, that is so, owing to the fact that it has been charged 50 per cent. more than these other articles before, whereas on any other canal it has been carried at a lower toll.

Mr. *Freeman.*

7242. At any rate, this is in your opinion what represents a fair re-adjustment of the rates upon this canal?—That is so.

7243. To compare with it you have had prepared a Table R., have you not, which shows the estimate of revenue accruing to the trustees from tolls on the basis of the Board of Trade proposals?—Yes, it shows the revenue under the proposal by the Board of Trade; practically Table R. agrees with the Table put in by the Weaver Trustees showing the effect that the Board of Trade proposals would have upon their revenue.

7244. The only other Table to put in is a Table which you prepared, Table O., showing the revenue exclusive of any miscellaneous receipts on the basis of the proposal of the Salt Union, and dealing with the actual expenditure that the trustees are put to at the present time?—Yes. That statement shows that the acceptance of the Salt Union figures would give sufficient revenue to the Weaver Trustees to enable them to meet their expenditure. The Table does not take cognizance of any economies that the trustees may be able to practise, nor does it take cognizance of any increase in revenue arising from increased trade.

7245. Just let us take this Table O. a moment. First of all, upon the revenue side you start with 37,932*l.*, which you get from your Statement S.?—Yes.

7246. Then to that you add the various items for Weston Canal tolls, Weston Dock charges, and the Anderton tolls and rents which are shown on the account of the trustees themselves?—Yes, save in the case of the Weston Canal tolls where we have a little different figure.

Mr. *Freeman*—continued.

7247. It is practically the same?—Yes.

7248. Therefore you get upon the revenue side a total of 44,644*l.* 17*s.* 9*d.*?—That is so.

7249. Then when you turn to the expenditure, the whole of these figures are taken from the balance-sheet of the Weaver Trustees themselves for 1893?—For the year ended March 31st 1893.

7250. There you get the total working expenses 28,608*l.* 2*s.* 2*d.*, interest on annuities 9,259*l.* 10*s.* 1*d.*, and repayment of annuities 6,931*l.* 12*s.* 4*d.*, making a total of 16,191*l.* 2*s.* 5*d.*?—Yes.

7251. Those two items of expenditure taken from the revenue show that there was an actual balance in hand of 845*l.* 13*s.* 2*d.*?—That is so.

Sir *Richard Paget.*] The expenditure in 1894 is much higher than in 1893.

Mr. *Freeman.*] It has some exceptional expenditure in it.

Mr. *Pember.*] There is no evidence whatever of that.

Mr. *Freeman.*

7252. This is on the assumption that the trustees made no economies in dealing with the annuities that they have borrowed?—That is so.

7253. But in your opinion, could considerable economies be effected in dealing with that matter?—I should think that by business negociations the debt could be funded or the amount repayable reduced, so that the whole of the burden should not fall upon the present traders.

7254. At the present time the present traders are paying for a future benefit, are they not?—That is so.

7255. In your opinion is that at the present time being carried to an excessive degree?—I think so.

7256. And the proposal also takes no account of the future increase of trade by reason of reduced tolls?—No increase whatever is allowed for.

7257. In your opinion, would it not considerably increase if the tolls were so reduced?—I think so undoubtedly.

7258. I just want to ask you upon one other matter; were you here when Colonel Morrison gave his evidence?—Yes, during a portion of the time.

7259. Is it the fact that at the present time you are severely handicapped by foreign competition?—Yes; there has been a great development of foreign competition.

7260. And also the competition of other English ports where there are not the same charges for river navigation?—That is so. There are salt works at Fleetwood. They are practically situated on the coast, and Fleetwood has sent some small quantities of salt to Liverpool without any river toll.

7261. And the same at Middlesbrough?—Salt is exported from Middlesbrough.

7262. Do you say, having regard to the present condition of the salt trade, that it is able to bear the excessive tolls which are now put upon it?—I think the toll is altogether out of proportion to the value of the article, and the trade is not able to bear this very excessive toll.

 7263. Therefore

Mr. *Freeman*—continued.

7263. Therefore, do you, in the interest of the trade, ask that the rate should be readjusted, as you suggest in the Schedule?—That is our request.

7264. You no longer press for the all-over toll, but you are content to take the mileage toll put upon a fair basis?—As we cannot get a sufficiently low all-over average toll we are content to adopt the mileage toll.

Mr. *Freeman*—continued.

7265. When you were before the Board of Trade you suggested an all-over toll, but you are content, if you can get it upon a proper basis, to take the mileage toll?—Yes; we suggest an all-over toll of 6*d.*

(*The following Tables are delivered in:*)

(S.)

SALT UNION, LIMITED.

PARLIAMENTARY INQUIRY, 1894.

WEAVER NAVIGATION.

ESTIMATE of the Revenue which would accrue to the Trustees from River Tolls (exclusive of Weston Canal Tolls and Dock Dues) on the basis of the Salt Union's proposals, viz., Aire and Calder Typical Schedule (except as regards Rock-salt).

NOTE.—The Tonnage for the year ending 31st March 1893, has been taken, though rather below the average as regards salt, owing to a strike of the Salt Union's Watermen.

Class and Article.	Traffic between.	Tons.	Miles.	Toll per Ton.	Amount.	Total Amount.
				d.	£.	£.
CLASS A.—1st 10 miles 0·50*d.*; 2nd 10 miles 0·45*d.* per ton per mile.						
Coal - - -	Winsford and Weston Marsh	3,874	19	$9\frac{1}{2\,6}$	146	
Coal - - -	Northwich and Weston Marsh	34,905	13	$6\frac{7}{2\,0}$	923	
						1,069
Purple Ore -	Anderton and Weston Marsh	5,929	12	$5\frac{9}{1\,0}$		146
Cinders - -	Anderton and Weston Docks	120	13	$6\frac{7}{2\,0}$		3
Sand - - -	Anderton and Weston Docks	1,086	13	$6\frac{7}{2\,0}$		28
Stone - - -	Anderton and Weston Docks	4,258	13	$6\frac{7}{2\,0}$		113
Puddling Clay -	Anderton and Weston Docks	164	13	$6\frac{7}{2\,0}$		4

Salt Union—*continued.*

Weaver Navigation—*continued.*

Class and Article.	Traffic between.	Tons.	Miles.	Toll per Ton.	Amount.	Total Amount.
				d.	£.	£.
Class B.—1st 10 miles 0·50*d.*; 2nd 10 miles 0·45*d.* per ton per mile.						
White Salt -	Winsford and Weston Marsh	475,000	19	$9\frac{1}{20}$	17,917	
	Northwich and Weston Marsh	65,100	13	$6\frac{7}{20}$	1,722	
	Anderton and Weston Marsh	79,850	12	$5\frac{9}{10}$	1,963	
	*Weston Marsh and Weston Docks.	65,000	1	$\frac{9}{20}$	122	
						21,724
†Rock Salt -	Winsford and Weston Marsh	6,070	19	6	152	
	Northwich and Weston Marsh	60,620	13	6	1,515	
	Anderton and Weston Marsh	4,350	12	$5\frac{9}{10}$	107	
						1,774
Flags - -	Anderton and Weston Docks	51	13	$6\frac{7}{20}$		1
China Clay -	Anderton and Weston Docks	11,386	13	$6\frac{7}{20}$		301
Lime - -	Anderton and Weston Docks	5	13	$6\frac{7}{20}$		
Class C.—1st 10 miles 0·85*d.*; 2nd 10 miles 0·65*d.* per ton per mile.						
‡Goods - -	Winsford and Weston Docks	4,347	20	15	272	
	Northwich and Weston Docks	20,208	14	$11\frac{1}{10}$	935	
						1,207
Chemicals - -	Northwich and Weston Docks	14,000	14	$11\frac{1}{10}$	647	
	Anderton and Weston Docks	194,962	13	$10\frac{9}{20}$	8,489	
						9,136
China Stone -	Anderton and Weston Docks	16,422	13	$10\frac{9}{20}$		715
Flints - -	Anderton and Weston Docks	21,375	13	$10\frac{9}{20}$		931
Bone Ash - -	Anderton and Weston Docks	640	13	$10\frac{9}{20}$		28
Bricks - -	Anderton and Weston Docks	1,874	13	$10\frac{9}{20}$		82
Chert Stone -	Anderton and Weston Docks	23	13	$10\frac{9}{20}$		1
Classes 1–5.—1st 10 miles 1·00*d.*; 2nd 10 miles 0·75*d.* per ton per mile.						
Crates of Earthenware.	Anderton and Weston Docks	13,110	13	$12\frac{1}{4}$		669
						£37,932

* This traffic does not originate on the Weston Canal, but represents that part of the tonnage shown above it, which does not pass off the canal at Weston Marsh, but continues to Weston Docks.

† Tonnage of Rock Salt taken at the rate of 2,600lbs. to the ton.

‡ A large proportion of "Goods" should in all probability come under higher classes than C.; but as the respective proportions are unknown to the Salt Union, the basis least favourable to the Trustees is taken. To this extent the Statement is an under-estimate.

18 *July* 1894.

(R.)

SALT UNION, LIMITED.

Parliamentary Inquiry, 1894.

Weaver Navigation.

Estimate of Revenue accruing to the trustees from River Tolls (exclusive of Weston Canal Tolls and Dock Dues) on the basis of the Board of Trade proposals.

Note.—The Tonnage for the year ending 31st March, 1893, has been taken, but this is below the average for Salt, as there was a strike of the Salt Union's Watermen.

Class and Article.	Traffic between.	Tons.	Miles.	Toll per Ton.	Amount.	Total Amount.
Class A.—1st 10 miles 0·40*d.*; 2nd 10 miles 0·20*d.*						
Coal	Winsford and Weston Marsh	3,874	19	5·80	93	
	Northwich and Weston Marsh	34,905	13	4·60	669	
						762
Purple Ore	Anderton and Weston Marsh	5,929	12	4·40		109
Cinders	Anderton and Weston Docks	120	13	4·60		2
Sand	Anderton and Weston Docks	1,086	13	4·60		21
Stone	Anderton and Weston Docks	4,258	13	4·60		82
Puddling Clay	Anderton and Weston Docks	164	13	4·60		3
Class B.—1st 10 miles 0·60*d.*; 2nd 10 miles 0·30*d.*						
*White Salt	Winsford and Weston Marsh	475,000	19	9·50	18,802	
	Northwich	65,100	13	7·80	2,116	
	Anderton	79,850	12	7·20	2,395	
						23,313
	†Weston Marsh and Weston Docks	65,000	1			
‡Rock Salt	Winsford and Weston Marsh	7,045	19	6	176	
	Northwich and Weston Marsh	70,360	13	6	1,759	
	Anderton and Weston Marsh	5,050	12	6	126	
						2,061
Flags	Anderton and Weston Docks	51	13	6·90		1
China Clay	Anderton and Weston Docks	11,386	13	6·90		327
Lime	Anderton and Weston Docks	5	13	6·90		–
Class C.—1st 10 miles 0·70*d.*; 2nd 10 miles 0.50*d.*						
Goods	Winsford and Weston Docks	4,347	20	12	217	
	Northwich and Weston Docks	20,208	14	9	758	
						975
Chemicals	Northwich and Weston Docks	14,000	14	9	525	
	Anderton and Weston Docks	194,962	13	8·50	6,905	
						7,430
China Stone	Anderton and Weston Docks	16,422	13	8·50		582
Flints	Anderton and Weston Docks	21,375	13	8·50		757
Bone Ash	Anderton and Weston Docks	640	13	8·50		23
Bricks	Anderton and Weston Docks	1,874	13	8·50		66
Chert Stone	Anderton and Weston Docks	23	13	8·50		1
Classes 1–5.—1st 10 miles 0·70*d.*; 2nd 10 miles 0·50*d.*						
Crates of Earthenware	Anderton and Weston Docks	13,110	13	8·50		464
						£36,979

* ·60*d.* per ton per mile, with a limitation of 9½*d.*

† This traffic does not originate on the Weston Canal, but represents that part of the tonnage shown above it, which, instead of passing off the Canal at Weston Marsh, goes on to the Docks. No revenue would accrue to the Weaver from it under the Board of Trade Schedule, as it would all be sent from Winsford, so as to secure the benefit of the limitation of 9½*d.*

‡ ·60*d.* per ton per mile, with a limitation of 6*d.*

(O.)

SALT UNION, LIMITED.

PARLIAMENTARY ENQUIRY, 1894. Revenue - - - £44,644
WEAVER NAVIGATION. Working Expenses - 27,608

STATEMENT showing that the Revenue (exclusive of any miscellaneous receipts) accruing to the trustees on the basis of the proposals of the Salt Union (Aire and Calder Typical Schedule) would be amply sufficient for the maintenance of the River and the repayment of Annuities and Interest even when the receipts are calculated on the exceptionally low tonnage of the year ending 31st March 1893. The expenditure is that actually incurred by the trustees (on the basis of the year ending 31st March 1893), no deduction being made for any economies which might be found possible.

REVENUE.	£.	s.	d.
To River Tolls, as per Statement S. - - -	37,932	–	–
„ *Weston Canal Tolls, minimum estimate of Revenue - - - - - - - -	658	–	–
„ Weston Dock Charges - - - - -	4,869	4	11
Anderton, Discharging, &c. Tolls - - -	86	15	1
„ Rents - - - - - - - - -	1,098	17	9
	44,644	17	9
	44,644	17	9

EXPENDITURE.	£.	s.	d.	£.	s.	d.
By Repairs and Maintenance -	11,352	2	8			
„ General Charges, &c. - -	9,786	–	5			
„ Weston Dock Expenses - -	5,906	1	10			
„ Depreciation - - - -	498	10	4			
„ Bank Commission less Interest	65	6	11			
Total Working Expenses				27,608	2	2
„ Interest on Annuities - -	9,259	10	1			
„ Repayment of Annuities -	6,931	12	4			
				16,191	2	5
„ Balance - - - - -				845	13	2
				£44,644	17	9

*As the distance over which each article passes on this canal is not absolutely known to the Salt Union, it has been assumed that an average toll of 1*d.* would be obtained on the 158,117 tons carried. The tonnage of Salt has been eliminated, as this traffic was peculiar to the year. At present half of the tonnage pays a toll of 2*d.*, three-sixteenths a toll of 1*d.*, and five-sixteenths a toll of ½*d.*

Cross-examined by Mr. *Pember*.

7266. I will see what your reasons were for suggesting an all-over toll. You recollect you were asked the question amongst others before the Board of Trade, "In your opinion is this navigation a totally exceptional one in the country"? This was in examination-in-chief, I may add, and not cross-examination. "It is absolutely unique, I should think," is your answer. You adhere to that?—I do.

7267. "(*Q.*) Do you therefore agree to the view that an all-over toll would be the fair thing in this case? (*A.*) In this particular case the one exception probably proves the rule. We think an all-over toll would prove to be a perfectly fair toll, practically the only fair toll having regard to the past history of the navigation." Do you recollect that answer?—I do.

7268. Do you adhere to it?—I adhere to the view that an all-over toll for all articles is a fair and reasonable thing applied to this canal, provided the tolls are so fixed as to be fair and equitable.

7269. You called it the only fair toll, having regard to the past history of the navigation?—Having application to all commodities.

7270. You were asked, "The Salt Union have works both at Northwich and at Winsford? (*A.*) Yes. (*Q.*) So that in some respects that

Mr. *Pember*—continued.

would be an advantage to you? (*A.*) Undoubtedly it would have this advantage: if we take a very narrow view of this position that whereas at Winsford we have competitors in the salt trade, we have practically no competitors in the salt trade at Northwich, so that a mileage rate would handicap our competitors at Winsford, but we recognise the position with regard to Winsford, and we therefore take the view that an over-all toll would be a fair thing as between ourselves and our opponents?"—Yes; I still hold that view provided the toll is made what we suggest; but I should like to add to that answer that since the date of that answer, a salt manufacturer has established himself at Northwich and commenced to make salt at Northwich, so that that part of the answer is dead by time.

7271. You have done your best to prevent having any competition at Northwich?—We have done what we could here like everybody else.

7272. To get a monopoly?—I suppose everybody likes to do so if they can.

7273. And you have done your best?—I suppose the Promoters did their best.

7274. In order to procure that monopoly you have even made an agreement with Messrs. Brunner, Mond, and Company, have you not?—

Mr. *Pember*—continued.

We have an agreement with Messrs. Brunner, Mond, and Company.

7275. And is it not to the effect that they are not to make any alkali at Winsford, and are not to have any salt works at Northwich?—It is not quite that.

7276. Very near?—We are not to compete with Brunner, Mond, and Company in their particular mode of making alkali.

7277. And they are not to compete with you in your particular mode of making salt?—Quite so.

7278. Now, I want to ask you a question or two about this navigation; one of the peculiarities of it is, that in its modern form it has been constructed almost entirely for the benefit of the salt trade, is not that so?—Broadly speaking, I suppose so, for the general good of the country, I take it.

7279. Not speaking quite so broadly, but as you said broadly, it has been practically constructed for the benefit of the salt trade?—For the benefit of the salt trade on which the whole district lives.

7280. That is what you meant by saying "for the benefit of the community"?—Yes.

7281. Then we are at one. What does the Salt Union want to get rid of the Weston toll for upon the canal?—Because it is a bar-toll; it does not facilitate trade.

7282. That is a fact. I do not suppose any toll facilitates trade; but now, what would you do if you got this toll, the Weston Canal toll. (I do not follow you in calling it a bar-toll, because a bar-toll has a specific meaning, which this has not),—what would it enable you to do,—put it in the concrete—with your trade that you do not do now?—It would enable us, if we wished to do so, to have an alternative route to the Mersey at the same rate, practically, as we have one route to the Mersey now, and give us two routes instead of one.

7283. You do not pay from Northwich the Weston Canal tolls?—No.

7284. Nor do you from Winsford either?—No.

7285. Is your meaning that you would be able to take your salt trade to a large extent off the Weaver Navigation and put it on to other navigations?—No, not necessarily; it would give us an outlet for the salt that we make at Weston Point by the Manchester Ship Canal route to Liverpool, whereas now, of course, we have an outlet by the old route without the Ship Canal.

7286. If you want to send your salt by the Manchester Ship Canal to Liverpool, you can send it *viâ* Runcorn?—We can send it at a toll of 6*d.* practically.

7287. Would it not enable you to do something else; would it not enable you to send a great deal of traffic from your Marston Works that now comes on to the Weaver Navigation right from Marston down to Weston Point?—It might possibly have that effect.

7288. It would represent a considerable tonnage, would it not?—Yes, doubtless.

7289. And also would it not have this further effect, that there would be a great temptation to you to make use of the brine-pipe and increase your output of salt at Weston?—I think it would be almost a visionary temptation.

7290. Why visionary; if you could get rid of your salt there at a rate of something like a halfpenny a mile upon the Weston Canal, you would save the dues upon the navigation between Northwich and that point?—The exact amount that we should save we cannot ascertain till the Schedule is passed, but even assuming it was a few pence per ton I do not think the difference would be sufficient to lead to the transfer of the production.

7291. Considering what we heard from Colonel Morrison, you speak contemptuously of a few pence per ton?—Colonel Morrison was dealing with the selling price of salt, I am dealing with the cost of the production of salt; and the difference of a few pence per ton in the toll would not be sufficient to cover the difference in the cost of the production at the Weston works, compared with other works.

7292. Why is it more expensive to take it down to Weston?—Pipe lines cost money.

7293. It is only using the pipe to a still greater extent than you use it now?—In order to use the brine you must put down extra plant to make the salt.

7294. To whom does this pipe belong?—It may be said to belong to us, though other persons have certain reversionary rights in it.

Sir *Richard Paget.*

7295. What is the diameter of the pipe?—I cannot for the moment answer; but I can get it in two or three minutes. I think Mr. Pember has the evidence before him now.

Mr. *Spicer.*] We are told 15 inches.

Sir *Richard Paget.*

7296. Is this pipe always in full charge?—No; it is not fully used at present.

Mr. *Pember.*

7297. With a 15 inches diameter, what could it send through in a day?—I do not know what it could absolutely send through in a day. Of course what a thing ought theoretically to do and what it does are two different things.

7298. Theoretically, what could it do?—I should think, probably, it might send sufficient brine to make 400,000 tons of salt in the year.

7299. How much would that represent in gallons. That is about four-fifths of the output of salt down the Weaver for the last year?—That is so, approximately.

7300. Who made that pipe?—I believe the major part of it was laid by a company called the Mersey Salt and Brine Company.

7301. And the rest?—I believe there was a portion of the pipe laid in 1872 or 1873; but I am not certain; but the completion of the pipe circuit to Weston, you might also say the whole of the pipe circuit to Weston, was done by the Mersey Salt and Brine Company, I think about 1882. I am not certain of the date.

7302. Now you said that the pipe might be said to belong to you, though other persons have certain reversionary interests in it. Just state how

Mr. *Pember*—continued.

how the ownership does stand now?—Practically it belongs to us, but we have an arrangement with Brunner, Mond, and Co., by which they can claim a certain portion of the supply should they wish to do so, subject to our having the first call to a certain quantity.

7303. Then the pipe is your own?—In that sense, yes.

7304. It might be worth while to call your attention to the petition of your Salt Union presented to Parliament against the Widnes Brine Bill of 1890. I may just say, in case the Committee have not heard it, that that Bill was for the purpose of carrying a pipe across the county from the neighbourhood of Winsford or Northwich across the Mersey to Widnes?—That was so.

7305. For the purpose of taking brine?—Yes.

7306. I daresay you remember that your Salt Union petitioned against that Bill?—Yes.

7307. I see in that petition there were the following paragraphs: "Under the powers of the Bill the Company would be empowered by means of the pumping works contemplated, to raise brine in unlimited quantities, and to convey it outside the county of Chester to Widnes for use in chemical works or for its conversion into salt. The effect of this would or might be as regards your Petitioners the inhabitants, to remove from their district the industry of salt and alkali making." This is a joint petition of yourselves, the Salt Union, and various other traders and inhabitants of that part of Cheshire? Yes.

7308. "The effect of this would or might be as regards your Petitioners, the inhabitants, to remove from their district the industry of salt and alkali making, which, so far as the district of Winsford is concerned, pays nearly one-half of the local rates, and to the great loss, if not the entire ruin, of all your said Petitioners; as regards your Petitioners, the said Local Boards, greatly to diminish the rateable value of property within their districts, and so to diminish the rates now coming into the hands of your last-mentioned Petitioners, and upon which they depend for the fulfilment of their obligations and the exercise of their statutory powers; and, as regards your Petitioners, the traders," amongst whom you were "first to establish a competition, which, whilst wholly uncalled for in the public interest, would be most detrimental, if not ruinous, to your last-mentioned Petitioners; and, in the second place, would be to diminish, if not altogether to absorb, the supply of brine to their works, and upon which the prosperity of their trade depends." Now comes this paragraph: "Salt and alkali are now extensively conveyed by your Petitioners, the traders, from Northwich and Winsford, down the River Weaver in barges to Liverpool and Widnes on the Mersey. If salt and alkali were manufactured, as the Promoters of the Bill contemplate, at Widnes on the banks of the Mersey, your Petitioners, the Traders, would have in self-defence to adopt new means of carrying their brine to the same locality, and to establish new manufacturing works there, involving not only great and unnecessary expense to your said Petitioners but also the discharge of the large number of men now locally engaged in the trade." Then the Petitioners who were the local boards and the inhabitants, point out the damage that would be done by subsidence without a countervailing benefit arising to the industry. That was a proposal to take brine out of the county altogether; but as a matter of fact if the brine industry was largely carried on at Weston Point, all the damage to Northwich and Winsford would supervene which is mentioned there?—If that were so of course there would probably be more pumping at Northwich and more brine might be taken to Weston Point. But the difference between the two cases is this; not only was it taking brine out of the county, but it was starting a new company who of course would have no regard to the capital already embarked in salt plant and buildings elsewhere.

7309. Now to go to these Tables of yours; take Table S. You say your proposals would give us 37,932*l.*?—Yes.

7310. There are certain assumptions which you make there; first of all I see you credit the coal receipts with 1,069*l.*?—Yes.

7311. Do you know what they are now?—They are considerably less than that, but we carry a large portion of the coal on the navigation and we would willingly submit to an increased toll on fuel provided we had a decreased toll on salt.

7312. Coal is charged 4*d.* a ton?—Fourpence a ton net.

7313. Here the toll is $6\frac{1}{20}d.$?—That is so.

7314. The Weaver Trustees have given in evidence that they could not get an increase in their coal traffic?—I venture to respectfully differ from them, because the major part of the coal is carried by ourselves and we would willingly pay an increase.

7315. It might be a different story after we got outside this room?—Not if Parliament fixed a certain maximum.

7316. Do you notice too that your Table involves a loss of 10,000*l.* a year on salt alone?—Yes.

7317. How much of the total amount for salt carried down the Weaver is your own?—In the year ending the 31st March 1894, we sent 496,969 tons.

7318. Practically, I may say, with the exception of some 70,000, all the salt is sent by you?—That is so.

7319. So you would benefit by between 9,000*l.* and 10,000*l.* a year, and you would lose a portion of the difference between the 696*l.* which is now paid for coals, and the 1,069*l.*?—We should have the special disability which has been imposed upon us on this canal removed.

7320. Forgive me, that is not an answer to my question. Do you notice that you would gain about 9,000*l.* a year and only lose a very few hundreds?—Our present salt tolls would be reduced by that amount.

7321. And your coal tolls would only be raised by a very few hundreds?—Quite so.

7322. Is your plant at Northwich fully occupied?—Unfortunately it is not fully occupied, nor at Winsford.

7323. If you thought it worth while, in consequence

Mr. *Pember*—continued.

sequence of any differential rate, you could transfer a good deal of the work you do at Winsford to Northwich?—If we thought it worth while we could transfer some.

7324. What you would have to pay would be less from Northwich than from Winsford?—That is true, but the cost of manufacture at Northwich is higher than the cost of manufacture at Winsford.

7325. How much a ton?—It varies a good deal; probably 9*d.* or 10*d.* a ton.

7326. How does that arise?—It arises owing to the greater liability at Northwich to subsidence, and the heavier repairs in consequence of that subsidence.

7327. Now, let us look at your Table O. How do you arrive at the 1,098*l.* for rents?—That is a figure that appeared in the Weaver Trustees Accounts for the year ending 31st March 1893.

7328. Did you hear Mr. Innman tell the Committee that that was now reduced by exactly half, as the rents are only 500*l.*?—Personally, I did not hear that.

7329. If that is so, away goes 500*l.* Have you looked at our Tables?—Yes.

7330. If you look at Table B. you will find that the rents are 538*l.*?—May I say I took this from the statement of the trustees. Unfortunately it is not lettered.

Sir *William Houldsworth.*] I find the same figure on page 4, 1,098*l.* 17*s.* 9*d.*

Witness.] That is so.

Mr. *Pember.*

7331. That is perfectly true; you do find on page 4, the rents put at 1,098*l.*, but if you look at page 8, you will find that the rents are put at 538*l.*, roughly speaking half, under the head of "Tolls and Rents" for 1893 and 1894, 538*l.* for 1893, and 544*l.* for 1894. Then if you look you will see under the head of "Exceptional Income," 561*l.* wharf rents in 1893, and 666*l.* in 1894, when they come to an end. So our rents for the future will only be 544*l.* That being so away goes 500*l.* of your balance of 1,845*l.*?—If one has to deal with revenue in the future on the basis of deduction in these rents you might equally claim on the asset side any increase in revenue that may accrue or will accrue for the year ending March 1895.

7332. The one is an assured fact; the other is only a possibility?—That is so, but as far as the year ending March 1895, has gone, I believe the revenue of the Weaver Trustees has been larger than in the corresponding period of last year.

7333. As a matter of fact, what have you taken for repairs and maintenance under your head of "Expenditure"?—I have taken the figures presented by the Weaver Navigation for the year ending March 1893.

7334. Why did you take that year?—That is the last statement we have available, and also we had heard in the Board of Trade inquiry that 24,000*l.* was the average. The Weaver Trustees stated that the amount required is 24,000*l.*, and 16,000*l.* for the service of the debt. The figure I have taken is 3,608*l.* more than the 24,000*l.*

Mr. *Pember*—continued.

7335. Your 27,600*l.* contains 5,906*l.* for the Weston Dock expenses?—Yes.

7336. The average for the 11 years for repairs and maintenance in your Table D. does not contain that item of dock expenses?—No.

7337. If you wanted to get at our annual expenses you ought to have put in repairs and maintenance as a separate item from expenses of the dock?—I prefer to think that it would have been rather confusing the Committee not to have done it in the complete form in which the Table is before them, so that the whole thing might be seen.

7338. You might have put the repairs and maintenance at 24,000*l.* and odd, and the dock expenses at 5,906*l.* Do you see that those dock expenses average something over 5,000*l.* in the last 11 years?—Yes.

7339. And the other expenses have averaged 24,000*l.*, as we see. If you had taken the average of the dock expenses and the average of repairs and maintenance, without going into other items, you would have got not 27,000*l.*, but 29,000*l.*?—By taking the average expenditure for a series of years, and only income for one year, you would have arrived at a different result.

7340. No doubt. To go back to our Table, does not it show that the expenses in the way of repairs and maintenance, and the expenses on the docks, are fairly constant, but that the revenue is declining?—I cannot say that I think it does show that.

7341. If I am anything like right, 37,000*l.* a year, when the thing comes to be looked into, instead of giving us a surplus of 845*l.*, would give us a deficit of several thousands a year?—No, I cannot agree with that.

7342. We will look into that presently. Let us take your own Table, you leave us a balance of 845*l.*?—Yes.

7343. How are we to find interest on the 60,000*l.* which we are pledged to spend under the Act of 1893, to make the swing-bridges and improve the river between Northwich and Winsford?—It would be better to defer the improvements till the trustees have got a better revenue undoubtedly.

7344. Is not that saying that your revenue would not give them any surplus to do it with?—Our revenue would involve estimate, but if there were these reduced tolls we believe that so much more would be carried that the trustees would have a substantial dividend.

7345. That is my only chance of finding that 60,000*l.*?—I think the trustees might cut their coat according to their cloth, as they appear to have done in past years; they might effect economies in those directions if the tolls were reduced.

Re-examined by Mr. *Littler.*

7346. Is there any reason why the trustees should not, if they think fit, so re-arrange matters as to relieve the present burden?—I should think it could be done. The trustees could practically fund their debt or pay off at a lower ratio than they are at present doing, and extend the period of their annuities.

7347. I find

Mr. *Littler*—continued.

7347. I find, according to this Table, that last year they actually, out of a debt of 204,000*l.*, they paid off 7,000*l.*, in repaying annuities?—That is so.

7348. Being absolutely free, if they are at all short, to borrow money and to borrow it in perpetuity?—Yes, with the effect that in 1907 there would be very few thousands to pay.

7349. In the meantime, out of 204,000*l.* they paid off 7,000*l.* last year, as they say themselves?—Yes.

7350. Making the service of the debt 16,191*l.*?—Yes.

7351. Therefore the whole repayment of the annuities they could have provided for by reborrowing if they had thought fit?—Yes.

7352. I find that at the present time according to their own Table put in yesterday, they would be paying 16,000*l.* a year till 1907. In 1907 their Table shows 10,941*l.*, or a reduction of 6,000*l.* a year; in 1908, a reduction to 8,498*l.*; in 1909, a reduction to 6,953*l.*; in 1917, a reduction to 4,247*l.*; and 1918, a reduction to 863*l.*?—That is so. In 1919 I believe the navigation would be a practically free navigation; the whole debt would have been borne by the present generation of traders.

7353. Apart from any question which I will deal with, as to the county of Chester, you are being saddled now, with your trade in a most depressed condition, to enable the trustees to make it a free navigation in 1918?—That is so.

7354. And they are asking a toll which is to be theirs in perpetuity till Parliament alters it, which will enable them to saddle you with the whole of that expenditure?—That is the effect.

7355. In the past, the salt trade, a large proportion of which your company represents, has been saddled with practically the whole of the improvements in the Weaver?—Yes.

7356. In addition to that, the salt trade in the past has contributed several hundred thousand pounds in relief of the rates of the rest of the county of Chester?—In the last hundred years over a million, practically in the shape of a special tax upon the salt trade in aid of the county rates.

Chairman.

7357. Is not that by Act of Parliament?—I think not.

Mr. *Littler.*] It is absolutely optional on the part of the Weaver Trustees.

Chairman.] Whether they pay anything over to the county?

Witness.] Whether they charge the heavy tolls.

Chairman.] But they have to pay this to the county?

Mr. *Littler.*

7358. By levying heavy tolls we have contributed that to the county of Chester. (To the *Witness.*) At the present time it is the fact that the salt trade on the Weaver have paid over a million in reduction of the rates of the county of Chester?—Yes.

7359. In the present condition of the salt trade, can you afford to be saddled with this large expenditure of 16,000*l.* a year?—No, it is absolutely impossible, owing to a variety of causes.

7360. If the trustees think fit, they can relieve themselves (less the interest on their money) of 6,900*l.* which might be immediately transferred to a surplus?—That would seem to be the case.

7361. My learned friend, as a matter of prejudice, brought in the petition of the Salt Union and other traders against the Widnes Brine Bill. I find that the Bill was not opposed by the Salt Union except as signatories to the general petition of the Local Boards of Northwich, Winsford, Middlewich, and Sandbach, and traders of whom you were one?—Yes.

7362. You did not appear separately?—No.

7363. Did you give evidence?—The then manager of the company gave evidence on the general question.

7364. Simply as one of the persons interested in the Petition?—Yes.

7365. It was opposed by a great number of opponents?—Yes.

7366. The County Council of Chester and the Northwich Local Board, among others?—Yes.

7367. Has the toll on the Weston Canal one little bit to do with that Petition?—As far as I see it has no more to do with it than Tenterden Steeple had to do with the Goodwin Sands.

7368. Your brine-pipe is in existence?—It is in existence, and has been in existence for about 12 or 13 years.

7369. Without all these terrible difficulties?—Yes.

7370. Having had all that time the privilege of sending anything you like at 1*d.* a ton?—Yes.

7371. Therefore anything that has now happened with regard to this Weston Canal might have happened during the last 13 years without anybody being able to prevent it?—Yes; we have a million and a quarter invested in the town of Winsford, and about a million and a quarter invested in the town of Northwich, and we cannot adapt our capital quite so easily as if it was ready cash.

Chairman.] I understood the point was that if this toll were removed then this brine-pipe could be made use of up to Weston in place of Northwich and Winsford.

Mr. *Littler.*] We have not alternative navigations; the navigation now existing enables us to go for a penny, and yet we do not go; it is a mere waste of a certain amount of revenue which we say we might get.

Chairman.] If it is to be of no use it does not signify whether it is on or off.

Mr. *Littler.*] It would be of use; it would increase the revenue, but we should ourselves send salt that way, should we not?

The *Witness.*] We should have two routes open instead of one.

7372. An absolutely open route if the toll was a reasonable one instead of being shut up?—Yes, it would be more convenient to send by the Manchester Ship Canal route to Liverpool than by the river route.

Sir *William Houldsworth.*

7373. Do you send none by the Weston Canal?—We did during the strikes, but as a general rule we do not send any because of the bar-toll of 6*d.*

7374. How long is it since you sent any?—We sent some last year, but owing to the strike we sent very little upon the Weston Canal River; we sent some upon the other Weston Canal of the Bridgwater Trustees.

7375. I speak of the Weston works only; do you absolutely not use this at all owing to the 6*d.* bar-toll?—We only use it in cases of emergency, owing to the strike we wanted to get it up to Liverpool, and we sacrificed the 6*d.* owing to emergency.

7376. It is the best route?—Yes.

7377. And you paid 6*d.*?—Only in the case of the coal strike, when practically our stock of salt had been largely decreased on account of our inability to get fuel; we happened to have a stock of salt at the Weston Point Works.

Lord *Hawkesbury.*

7378. You get equally to the Ship Canal at Runcorn, do you not?—Yes, we could do it, but we should have then unless we paid the toll to the River Weaver to pay a toll to the Manchester Ship Canal, but any salt coming off any portion of the Weaver, travels free over the Eastham section of the Manchester Ship Canal to Liverpool.

Sir *William Houldsworth.*

7379. It would pass free if it used the Weston Canal and paid the 6*d.* upon the Weston Canal, then you get on free to Eastham?—Yes, but having the alternative route *viâ* the old river, we send it at 1*d.* a ton.

Mr. *Littler.*

7380. By the old river you pay a 1*d.* and get out into the Mersey and go straight down?—Yes.

7381. If you had a reasonable toll on the Weston Canal it would be better for you to go free to Eastham rather than go into the Mersey?—Yes.

7382. There would be every inducement for you to use this canal if you had a decent toll upon it?—Yes

7383. It is only in cases where there is no strike clause, and where you have to go on, loss or no loss, that you have used the Weston Canal?—Yes, it was an emergency case.

7384. And in cases where you have to deliver, loss or no loss?—Where we have to deliver salt to chemical works loss or no loss.

7385. But for that, would you have used the Weston Canal?—No.

7386. Does the bar-toll protect the trade of the Weaver in any way?—It by no means protects the trade of the Weaver; it locks up the navigation, and compels us to go by other routes to a certain amount of disadvantage.

7387. The disadvantage which I mentioned to the Committee is that, subject to the size of the boats, it has the absolute effect of driving all the trade off the Weaver on to other navigations?—Yes.

Mr. *Littler*—continued.

7388. If there were no other navigation it might be of some use?—If there were no other navigation for the works there it might be of some use.

7389. But there are your works there and another navigation, and your brine-pipe, which has been used for the last 12 years?—Yes.

7390. As regards the Marston traffic, that is up above Northwich?—Yes.

7391. Is there any means of going from Northwich which it would be worth your while to use to divert traffic from the Weaver?—No, it is a very hypothetical contingency.

7392. Is it in the region of practical politics?—No, it is not a practical point. We should have to do a great deal of transhipping rendering it nugatory if we did take such steps.

7393. Now, as to the remaining question of tolls, you do not desire anything preventing the Weaver Trustees carrying out that which you contend is their primary duty, namely, to look after the navigation?—No, consistently with having such a rate as to enable the trade to be carried on. A good navigation is no use if the trade is driven off by excessive tolls.

7394. Subject to that, you have no objection to their doing their authorised works or any other works?—No.

7395. Provided they only arrange their financial affairs as we pointed out, would there be any difficulty in their borrowing money at 3 or 3½ per cent.?—No, considering the large margin allowed over their working expenses, if the Weaver Navigation was an ordinary shareholding or Joint Stock Company, a balance of 17,000*l.* over the working expenses on a capital 204,000*l.* would be a very good return indeed.

7396. Do you know any railway or canal where goods of the value of alkali, and so on, are actually carried at one-third cheaper than such an article as salt?—No. I know the rates at most places, and have trade in various parts of England. We have given evidence before various Committees, and the case of the Weaver is absolutely unique in that they have charged a shilling a ton on salt, and 8*d.* a ton on articles in the higher classes; it is absolutely unique in that respect.

7397. As regards any argument or discussion raised as to what happens to the surplus, is there any instance that you know of where people charge their maximum upon such traffic as salt, making a difference on such an article as alkali?—No, I do not know any such case. Probably the Salt Union are dealing with every canal in the country. There is no such case.

7398. You are more or less acquainted with the alkali trade, and have means of observation such as few people have?—Yes; we buy alkali in connection with some of our establishments, and we know fairly well the condition of the alkali trade.

7399. In your view there is an absolute disproportion in not merely the producing of salt but of alkali; but even if put upon the same level, there would be a disproportion, though not so much?—It is absolutely contrary to everything Parliament has at present done.

7400. And the proposal you make gives the trustees

Mr. *Littler*—continued.

trustees something like 2,500*l.* a year in a trade whose products ought, according to common experience, be able to bear a higher rate?—That is so; we ask as regards the Weaver that we should be simply treated in the same way as we should be treated on any other navigation in the country.

Chairman.

7401. How are you treated now as regards salt?—On the Weaver the maximum powers of the trustees are 1*s.* for salt, and 1*s.* for alkali. The salt trade has been going on for a long series of years, hundreds of years, and the 1*s.* toll has been enforced. A new industry started on the banks of the Weaver 20 years ago in the shape of the alkali industry, and to encourage the industry the trustees made the actual toll on alkali 8*d.*, though they had the power to charge 1*s.*

7402. The practice as it now goes on is the same as the practice that you deprecate, that is to say that alkali is charged a lower toll than salt?—The deprecation is universal, and even the alkali manufacturers themselves have recognised the position in their own proposals; before Mr. Pelham they proposed a reduction on salt; they proposed keeping their present tolls, but they proposed that all the reduction should go to salt.

7403. It has never been in any of the Acts of Parliament that alkali was put on a lower toll than salt?—No, it is a purely discretionary act upon the part of the trustees; the trustees have power to charge 1*s.* upon alkali in the Acts, and their discretion, we think now, was misplaced probably in charging only 8*d.* They have applied to the Board of Trade to make the toll a shilling under the Act of 1888, where they have to give notice to the Board of Trade.

Mr. *Littler.*

7404. Up to 1888 they had power to do whatever they pleased?—They could not have put it above a shilling.

7405. They might have raised one commodity and lowered another at their own option?—Yes.

7406. What they have done is, you having borne the heat and burden of the day, and created the navigation, they still charged you a shilling, and tempting these gentlemen on to the navigation they charged them 8*d.*?—Yes.

7407. If there were no alkali works upon the Weaver, and there were a fair trade, the Weaver Trustees would be absolutely better off without them?—Yes, because every ton of chemicals that is made direct from the brine means a diminution in the quantity of manufactured salt that is required to make the chemicals on the old process. The new process is making the chemicals direct from brine; the old process is making chemicals from salt, therefore the quantity of salt taken down the Weaver has been much diminished, and in place of getting an 8*d.* toll on alkali, they have practically prevented themselves getting a 2*s.* or 3*s.* toll on the same quantity of manufactured salt that would be required to make chemicals.

7408. It takes 2½ tons of salt for 1 ton of chemicals?—Yes.

Mr. *Littler*—continued.

7409. Unless Brunner, Mond, and Company had been established on the Weaver they could not have carried on their works at all, because they must have their brine?—They might have to go to Middlesbrough or other places not so conveniently situated.

7410. But they must have the brine?—Yes.

7411. If they were at Widnes they must have carried down 2½ tons of salt at 2*s.* 6*d.*, instead of carrying down 1 ton of chemicals at 8*d.*?—Yes.

7412. In your view, having regard to the different positions of the trades notwithstanding that we are asking for certain relief for ourselves, are we asking for relief for ourselves which the other trades cannot fairly bear?—No, we are only asking to be placed in just the same position upon this navigation relatively to other trades as we should be placed in upon other navigations; it is a typical difference.

7413. It has been already said by the Promoters that they are particularly well situated for their supply of water?—Excellently well situated.

7414. My learned friend asked whether or not Brunner, Mond, and Company and you, had not come to some arrangement about not competing with one another in their respective lines?—Brunner, Mond, and Company have recognised the position.

Chairman.] We do not want to go into the position.

Mr. *Littler.*

7415. I will not ask any more about that. (To the *Witness.*) As regards the question of transferring part of your works from Winsford to Northwich, is it the fact that at the present moment all the workable pans have been recently in work at Northwich?—Yes.

7416. Some of your pans have been stopped by subsidence, have they not?—Some have been stopped by subsidence.

7417. And you have not in any way altered your working from your usual course?—No, the manufacture has proceeded in the ordinary way.

7418. I think you said to the Committee that Winsford has such advantages over Northwich that unless the difference of toll were very excessive you would prefer to work at Winsford?—Yes, owing to subsidence, questions of leases, and difficulties of a more practical character.

Lord *Clifford of Chudleigh.*

7419. Am I right in understanding that the pipe is laid down under no Parliamentary power?—That is so; by private negotiation amongst the landowners.

7420. Is the nature of that negotiation to give you a way-leave by lease or in perpetuity?—A way-leave and in some cases by lease.

7421. What length of lease?—The shortest is 50 years.

7422. Are you considering the desirability of enlarging your works at Northwich?—No, unfortunately the condition of the industry is such that an extension of the works is not called for. We have generally half of our plant standing idle; there has been over-production.

7423. And the same at Winsford; have you of late years enlarged the works at Winsford?—No;

Lord *Clifford of Chudleigh*—continued.

No; the same thing is true in Winsford. The salt trade has very much decreased.

7424. Is the same true of Weston?—Yes, the same is true of Weston; we are working fairly at Weston.

7425. But not developing your trade?—No.

Mr. *Spicer.*

7426. Have you made any attempt to try to come to an agreement with Brunner, Mond, and Company; you seem to be to a certain extent on working terms with them in all their different trades, but you are here quite in conflict; have you made any effort to come to an agreement?—We have had some conversation with them about it. The difference is that Brunner, Mond, and Company merely want to preserve the extra favourable treatment that they have upon this navigation, and our view is that neither the desirability nor the special privileges of the past should be remembered, but both should begin afresh upon this navigation in the same way as upon other navigations.

7427. You are both very anxious that the Weaver Navigation should have a sufficient income to pay off its liabilities and also keep the canal up?—That is so.

7428. So that it is merely a question of your own independent interest?—That is so.

7429. You said something with regard to the question of toll being in proportion to the value of the article. You have been paying a shilling toll for some years, but how does the price of salt compare with what it was 10 years ago?—This year it was about the average. The average has been given at various points, 1887 to 1891. From the recent Mineral Statistics published, it is within 2*d.* or 3*d.* a ton of the average of a few years ago. The extra price is caused by the dearer labour and fuel.

7430. Taken as a whole, it has not altered?—Yes; the wages of men, owing to the Trades Unions, have increased 25 per cent. That has had a corresponding effect upon the price. May I add that Brunner, Mond, and Company are practically supporting the Board of Trade proposal which would give alkali a toll of 8*d.* at Northwich, and give salt a toll of 6*d.* or 7*d.*, and the difference is really only a matter of about 2,000*l.* as between the Board of Trade proposal and the Salt Union proposal.

7431. The Board of Trade proposals are very much in your favour?—Yes, but not so much as they would be if they adopted the principle that is adopted on other canals.

7432. What is your general opinion of the Board of Trade proposals?—I think the Board of Trade proposals are fair and reasonable subject to comments, though the special disability has been to a certain extent continued on salt, and the special privilege granted to alkali has been continued.

7433. Still you would be better off under the Board of Trade proposals than you have been at the salt works for over 100 years?—Yes.

7434. So that if you could not get your own way you would like the Board of Trade proposals?—Yes, the Board of Trade proposals are eminently reasonable proposals; subject to that adjustment, we would rather have those if we cannot get our own.

Sir *Richard Paget.*

7435. In your view, the higher price of salt to-day has been owing to the action of the trade, and not to the action of the Salt Union?—The action of the Salt Union has been to reduce prices, because it has called into existence a certain number of traffic, in the same way as the traffic with America has reduced the price of the traffic in oil with America. The effect of the Salt Union, if it were shown on the prices would be a reduction of the prices.

Mr. *Pember.*

7436. (Through the *Committee.*) The bulk of the salt that you take from your Weston works *viâ* Runcorn goes to Widnes?—The bulk goes to Widnes.

7437. Is that about four-fifths of it?—No, it is about one-third.

7438. Where does the rest go?—Some to the top lock at Runcorn, others to Runcorn Docks, others to Worsley, and others to Old Quay, others to Manchester and Weston Dock.

7439. On the other hand, if you had to send salt from your Weston Works to the Weston Canal, that is to say to the Weaver Weston Canal, it would be for Liverpool, would it not?—If we did it, it would be probably for Liverpool.

7440. And be transhipped from your boats into larger vessels upon the canal?—It would depend upon circumstances.

7441. You want very fine weather for your boats to go to Liverpool?—Fortunately we do have some fine weather occasionally.

7442. The weather would have an effect?—Yes.

7443. What would be the cost of transhipment?—I cannot answer the question, because we have no data upon the subject; it would be a case of arrangement with others.

7444. Obviously it would be a considerable amount per ton?—I could not express an opinion, because I have no knowledge of it.

7445. A halfpenny a ton?—No, nothing like it.

7446. You do not know?—No.

Mr. *Littler.*

7447. (Through the *Committee.*) In point of fact the bar-toll, amongst other things, prevents you sending overland to Liverpool, because you could send it in larger vessels?—Yes.

The Witness is directed to withdraw.

Chairman.] Have you any more evidence?

Mr. *Littler.*] I have no other witness. I will not occupy the Committee for any length of time, because my witnesses have put the matter plainly before the Committee. I should like to remind the Committee rather of what the constitution of this trust is, and without in the slightest degree suggesting that I desire to repeal past legislation, because if I did propose it I am convinced that the Committee would not be disposed upon this occasion to entertain any such proposal, I want just to remind the Committee what this navigation is. Originally it was a natural river, and being a natural

natural river as long ago as the year 1720, there were three gentlemen who proposed to make the River Weaver navigable (I am reading from a recital in the Act of Parliament, which does not want any proof), and they gave these reasons for the undertaking, that it would not only be very beneficial and convenient as well for the carriage of salt and cheese, the great manufactures and produce of the county, as for other goods and merchandise to and from the towns and parts adjacent, but would be the means of preserving the highways of the said county, and tend to the employment of watermen and seamen and be good for the public. The tolls were provided by that Act which have been since reduced and those three gentlemen found the 9,000*l.*, which has been repaid with compound interest at nine per cent. Then in 1760 new trustees were appointed, consisting of gentlemen of the county, and it was then provided that after payment of the debts and expenses the surplus should be applied towards building and repairing public bridges in the county, and afterwards for repairing and amending the highways in the county or such other public charges of the county in such manner as the Justices of the county should direct. At that time all that had been expended was this sum of 9,000*l.*, and it had been repaid. Then the county got hold of the navigation; they had power to charge the maximum, and I daresay your Grace will have in your mind how often it has been discussed in these rooms as to gas, whether or not a surplus, after paying for gas, ought not to be a mere accidental surplus, and not one reckoning from year to year. However, the county of Chester thought if was not a matter of accidental surplus, and they took care that the surplus did reckon from year to year. The consequence has been, that up to the present time, as a matter of fact, the persons using this navigation have not only paid for all the improvements upon it less 200,000*l.*, but they have paid over a million of money in relief of the rates of the county of Chester, though they themselves have to pay their full quota to these rates for all their manufacturers; so that instead of this being an advantage to the manufacturers, it has been an absolute disadvantage up to the present time. That having been so, there never having been a suggested attempt to reduce the maximum, and it being absolutely in their discretion, unless they were bound to have a mere accidental surplus, to do what they pleased, they have chosen to do that which has imposed a tax upon the trade, and enured to the greatest advantage to the county of Chester. As long as the trade was in a prosperous condition I have not much to say, but it is now recognised on the part of the Weaver Trustees that they must not expect a surplus in the future, because they themselves propose, or rather contend, that their present powers would only just enable them to carry on. Therefore, it seems to me that we do not need to discuss whether or not the county of Chester is entitled as a matter of law or right to any surplus, because the Weaver Trustees seem to recognise that their tolls for the future ought to be based upon their being able to pay their way, and also give a reasonable increase in the advantages and conveniences of the navigation which may fairly be anticipated. That is common sense, and it can scarcely be supposed that for the future the county would expect that any tolls on commerce would be based upon any other proposal. If they were so to suggest they would be met by the difficulties which everyone knows are in the way of the people who now ask to take profits out of the trade for some matter which is absolutely alienating the trade. It is said with perfect truth in the Board of Trade Report that they are a self-elected body, and do not represent the interests of the traders using the navigation. Then what I was going to deal with is this: The views of the Acts of Parliament expressed, not by me, but by the Board of Trade, are these: "According to the information given to the Board by the trustees their situation is very peculiar, their Acts leave them at liberty either to spend their surplus income on new works for the improvement of the navigation or not, so that they are not bound to have a surplus; but if they have a surplus it must go to the county of Chester. So long as they have a debt they must pay it off and have no surplus and the county get nothing, and they ought to be enabled during the next fifteen years to pay to the county a surplus of 15,000*l.* a year, notwithstanding that that debt of 250,000*l.* is not paid of. After that time their income will be enormously increased, the payments of the instalments of the debt will be at an end and the whole of the surplus will go to the county." That indicates the position in which they now are; they are paying off the debt at a rate which no commission, interested solely in navigation, could pay it off, and by the end of 1907 the county of Chester may have a considerable increment to the surplus which they take. The tolls are being now reduced to a point which is intended to be simply a living point, because I gather from everything that has been done that that is the intention and effect of all that has been done in every Schedule of the Board of Trade. I ask that they shall be reduced to a living point with regard to the interest of the navigation and with regard to the interest of the local rates. There is no obligation, there is no legal right in the county of Chester to anything except a surplus. I say there ought to be no such provision, especially when it is a burden on the trade involving the necessity of a surplus. If there is an accidental surplus I have nothing to say to it, but probably next year when the proper time comes to discuss the legal position, Parliament will take care that any surplus shall not go to repairing high-roads of the county of Chester but to the navigation. Sufficient for the day is a general proposition, and whether it be by way of exemption which ought not to exist, or whether by way of old claims, or bar-tolls, or any of these ingenious devices for saddling commerce with things not belonging to it, we say that they shall not be regarded; but that the sole question shall be, what amount of living wage can the Commissioners for the navigation exist, to use the common slang.

Now may I remind you of what has happened elsewhere with regard to these things. Take the Liverpool Town dues upon this river; they were abolished; the Corporation of Liverpool had those dues, and having those dues they applied them to the Town of Liverpool instead of to the

improvement of the Mersey; so that all these matters have for a long time now ceased to exist. I am not going to say a word with regard to the various matters such as the endowment of schools and so on, they must be dealt with when the Conservancy Bill comes forward next year, when I hope all these things will be duly dealt with upon the fairest possible basis. At all events, so far as to-day is concerned, I have no instructions to induce me to say anything except that all the obligations and rights should be fairly and properly respected subject to this always, the principle that has been laid down by the Board of Trade uniformly since the time of the passing of the Railway and Canal Traffic Act. What is the position? These trustees have got that right in the exercise of their discretion for the purpose of inducing a new trade to give a preferential rate to that new trade, though their manufacture is enormously in advance in matter of value upon ours; they have got that right to give them a preferential rate one-third lower than our own rate, though their manufactures are of so much greater value than ours. Now, do let me remind your Grace of the way in which this is worked out. We having had up to the time when trade became worse four-fifths of the traffic on the Weaver have been compelled to pay a shilling a ton, whereas our friends below have paid eightpence. Under these remarkable circumstances, which your Grace did not get until the close of the Inquiry in consequence of something my learned friend, Mr. Pember, said I asked the question and obtained the answer that absolutely these gentlemen who are down below used brine which we traders of Cheshire would turn into salt, and make our profit upon in turning into salt, sending it to Widnes and elsewhere where they have not any brine, but use tons and half tons for every ton of the manufactured article which they send out. They have not only preferred them to us, but they have deprived us of the profit of making the salt, and they have deprived themselves of 2*s.* 6*d.* for every 8*d.* that they got. If ever there was a reason for reducing our tolls below the maximum, I surely should have thought this was the case. That is the position of things at the present time. Everybody feels that it cannot continue to exist, except the Weaver Trustees who appear to think that they ought to stay as they are.

Your Grace, my learned friend, Mr. Pember's speech was extremely interesting as a historical document, but when I come to the point of what he would have suggested rather than have this old anomalous scale of tolls, they said theirs should be continued, because they want the same tolls. Is it to be submitted to for an instant that the trade which has made the river, which is the essence of the river, which, if the river is to continue, must exist, without which the tolls which are charged on the manufactured article would be an idle shred, should be taxed in that way? Is it to be suggested that such an anomaly as this is should be stereotyped under the new order of things? Not only will Mr. Pelham strenuously object, for the Board of Trade, to such a suggestion; but I submit that the Committee themselves will not for a moment hear or listen to any such proposition. If it is to be altered, how is it to be altered? There are only two suggestions before the Committee: one suggestion by the Board of Trade, which we are satisfied wilh so far as it goes, but which does not go far enough because of the conditions of our trade. Now I would ask the Committee (and this is the only Table that I will trouble them with) to look at that Table U., which we put in. It is an important statement showing the approximate value of the works; it is on the notes. Just look at one matter with which we give a comparison here; we have rock salt worth 2*s.* 6*d.* paying 6*d.*, or one-fifth of its total value. We have white salt worth really 9*s.* paying really 7¼ per cent. of its total value; and all we ask to do is to reduce in those two instances the 20 per cent. to 17·23, and the 7·22 to be reduced to 5¾ per cent. Now, are not those very heavy tolls for commodities of that very low value? I grant you that all low-class commodities are tolled more highly in proportion to their value than the higher classes. My learned friend, Mr. Pember, when I gave the illustration that the comparative proportion on alkali would be 5*s.* said it would kill the trade. Of course it would, and nobody suggested that it should be put on. But this is the real difference between us, that if we pay our same proportion 7¾*d.* on white salt, the alkali ought to pay 5*s.* That is one way of showing how heavy the toll is, even on a comparison, which is reasonable. But the whole reasonable proposition is that you must have a toll that the traffic will bear, because otherwise, especially on a canal where the people are only toll-takers, it costs the navigation no more to carry a ton of alkali than to carry a ton of salt, or a ton of coal, because if they provide the waterway it takes no more water, and no more labour; but it is a recognised principle that the toll shall bear the same proportion to the value of the article, the higher class article contributes more than the lower class article. If your Lordship looks at two or three articles, you see this: Take soda-crystals, about the eighth item 1·16*d.*, there, we pay 8½*d.* against their 7-four-fifths, their value being 1·16*d.* as against 9*s.* We propose to make it 10¾*d.* Then take alkali, that Brunner, Mond, and Company are concerned in, the value is 3*s.* 10*d.*, the Board of Trade proposal 8½*d.*, and our proposal 10¾*d.* Can it be said that on an article of that value that that is not a fair comparative proportion? We propose 6¾*d.* for the same distance for rock salt against 10¾*d.* for this far more valuable article. Then take the rates for earthernware value, 5*l.* 10*s.*, the Board of Trade still keep them as 8½*d.*, and we put them at 12½*d.* In all these, cases I say that, having regard to the principle that the Board of Trade themselves have laid down, there is no disparity or unreasonableness in the proposition that I put before the Committee. I do not want to weary the Committee after making the long statement to them that I have, and they having paid the attention that they have to what has been a very long inquiry, by going into questions of detail. The only other question that I have to deal with is whether or not there will be sufficient revenue provided by our proposal. There will be rather more provided by ours,

ours, but not very much, than by the Board of Trade. The only material difference is that we think the burden has not been distributed fairly on the shoulders that can best bear it. We think the higher class trade can bear a little more, and it is a fair proportion. It is an easy sneer to say: "Oh, yes, that is for your own benefit." I wonder whether everybody coming into these rooms does not come for their own benefit? There is not a single benefactor except the Board of Trade, and everybody thinks that is a blessing very much disguised. We are all trying to persuade the Committee that our proposition is a reasonable one, and it is idle to sneer against me by saying that I am asking for benefit for myself. Of course I am. The question is, am I asking for a disproportionate benefit to someone else's disadvantage? If I am the Committee will put me right; but if I ask really that which is fair, I ask to shift the burden on to the shoulders of others whose shoulders can best bear it. There was some suggestion that the Salt Union had increased the price of salt. They have not. It is in increased cost of coal, the increased cost of labour that they had to do, and they cannot produce it for less than they are doing. You heard what the whole of their income was, notwithstanding it was suggested they were a monopoly. Their income is 2½ per cent. What is that for a trading commercial undertaking? I have always understood that a trading commercial undertaking being prosperous should pay seven or eight per cent.; but here they have never divided more than 2½ per cent. or 3 per cent. If you put the same test as to what the traffic will bear, Brunner, Mond, and Company have been paying enormous dividends upon their trade in very reduced prices, and it is evident that the traffic can bear something higher, not in proportion to their dividend, but theirs is a business which unquestionably can bear a larger sum put upon its tolls than I can. I say proportionately higher, because the Board of Trade puts upon them, and you should put proportionately a higher sum upon them. I do object to a portion of the Schedule of the Board of Trade, which I was discussing with an honourable Member just after the Committee met as to the maximum toll for salt being 0·60*d.* for any part of the distance. Why is salt to be treated differently upon that navigation to any other articles in the same class, except that it is the concern which produces all the good produces to the navigation, and therefore ought to be treated with exceptional leniency instead of with exceptional severity?

Now, I come to the question of revenue. My learned friend, Mr. Pember, says, Oh, we cannot get on with a halfpenny less revenue than we have got. I venture to say that the question that I put to my witness in re-examination entirely disposes of that question. Do you remember the position of this navigation? It has not got a debt worth speaking of, because it has got a revenue of 43,000*l.* a year. If they were a trading concern, what would you say to a trading concern which had a capital of 200,000*l.* whose expenditure for maintenance and management was only 27,000*l.* a year? You would say at once that they were in a marvellously good condition. They would be able to divide if they were a trading concern, and this 200,000*l.* had not to be paid off, but was capital, 8 per cent. And they are dividing 8 per cent., because notwithstanding the depressed condition of trade, they are abolishing their capital, by which means the principal and interest is paid off at the rate of 8 per cent. per annum. Is that a reasonable condition of things? They are not bound to do it; if they were, it would be a very different thing. They are not bound to pay off a halfpenny, because they have power to borrow 400,000*l.*, of which they have got 120,000*l.* unexercised. They originally raised 280,000*l.*, of which they have paid off all but 204,000*l.*, the consequence being that at this present moment they are only in debt to the extent of 204,000*l.*, and they have unexpended borrowing powers of 196,000*l.* at this moment, because there is no prohibition against re-borrowing. They can borrow and re-borrow as much as they like, and by their last Act of Parliament they were entitled to borrow upon the strength of their old powers 400,000*l.* Out of the 400,000*l.* only 150,000*l.* is subject to any term at all; that is to say, as to 150,000*l.*, if they borrowed it under that Act, they were bound to repay it within 40 years. What have they done? They have elected to put the whole of their borrowing powers upon that principle. They have no right to do that; there is not the slightest necessity for doing it. They have not availed themselves of the whole 40 years, but they put it at 30 years, and during the time they had this borrowed money outstanding, and have actually been earning a surplus and paying it over, and have been spending 80,000*l.* and have borrowed money for the purpose of doing so on terminable annuities they have actually paid 95,000*l.* to the county of Cheshire. A more muddling way of carrying on a commercial concern has never been invented. Is it fair to us that we should be saddled with repaying this money which we are not bound to repay? What will happen? At the end of the year 1907, the navigation is to be in such a condition that it will be almost free, and by 1917 it will be absolutely free, and yet we shall be compelled to provide 16,000*l.* a year. They can go to-morrow, if your Grace so decides it, and borrow the whole of the money, so as to be able to pay off the 6,000*l.* a year principal, leaving them at once with a surplus of 6,000*l.* a year beyond the 800*l.* which we give them. I do not trouble myself about a 5*l.* note, or a 100*l.*, or their being wrong; even to the extent of 500*l.* a year. I do not care whether my witness was wrong by 500*l.* a year or not. He took the best year for himself because it was taken by the other side; and their having taken it, that is sufficient. But if the Trustees chose any year which they thought right, so as to correct this Table, they would still have a margin of 6,000*l.* a year, so that they could simply go into the market and borrow at 3 per cent., instead of borrowing on annuities at 3½ per cent. and making them terminable annuities, saddling them with principal and interest. I submit that when you hear the reasons, which are sound and substantial ones, and remember that Liverpool is now in a very difficult and anxious position with regard to the whole of its trade, a position in which every ship that can be got to Liverpool is of almost national importance; and when you hear that the salt trade is deserting Liverpool to go

go to Hamburg and other ports, it is about time that everything should be done to relieve the trade.

Now let us for a moment consider the case of Liverpool and the reduction of the tolls; because actions are a great deal better than words. Forty years ago the Liverpool Dock due, which is for a service rendered as much as the service on this canal is, was 6*d*; they had to reduce it first to 4½*d*. and then to 3*d*.; and why in the world is the Weaver to keep up its ancestral charge and not to make any alteration? Surely they should recognise that if the trade is to be kept it must be by means of some sacrifice upon their part. The Liverpool people had a higher maximum than 6*d*. Sixpence must have been within their maximum, and yet they reduced it by 50 per cent. We do not ask for a reduction of 50 per cent. in any case, but we ask for a reduction which in some instances would come very nearly to it. If we had been acting in accordance with the precedent set in the case of the Mersey Docks and Harbour Board, we have only one course to follow. They had nothing to do with finding a surplus for the county out of their earnings, but having found the money for their working expenses and their docks, they had to reduce their tolls as the Weaver Trustees ought to do. But I can only deal with the fact as it stands; and I say as a matter of practice and fairness, that if the tolls had to be reduced in other places, it is the strongest possible evidence that we can bring before you as to the practice that ought to be adopted here. These tolls ought to be reduced in consequence of the exigencies of the trade. No doubt the Salt Union would be pleased if they could get a monopoly of the trade to pay the old toll. But we find our trade diminishing and leaving the Weaver and leaving the port of Liverpool, and what can be greater common sense than to impose such a toll as will possibly bring it back again?

I have only one other point to bring before you, that is, as to the Weston Canal bar-toll. What is the proposal they suggest? They say that you are to keep this toll up, not for the benefit of the navigation, not for the benefit of the trade, but because if you do not keep it up, something terrible will happen to the county of Chester; that is to say, you are to put this toll upon this canal which is authorised to be made by Parliament in order that it may not be used, because if used it may by some possibility affect some other interest which has nothing whatever to do with the navigation. My learned friend, Mr. Claude Baggallay was here yesterday saying that Northwich and Winsford would be ruined and all sorts of things would happen if this bar-toll was not kept up, and that their brine would be taken away. But this does not give any new means of taking the brine away. The noble Lord upon your Grace's right hand asked how long has this pipe been in existence? It has been in existence 12 years and all these terrible consequences have not happened. The answer may be that it is because the bar-toll has been there. But the bar-toll has not been there because those works are situate between the two canals. What has been the result? All the traffic from these works would go on to the Weaver. If they can get along the Weston Canal they will go into the Ship Canal and so get away much better to the Mersey than by the existing route. The result is we are compelled to use a worse route with small boats, because we can get there by a toll which is not prohibitive. The consequence is Winsford and Northwich will not allow the canal which has been made to be used for the purposes it might be used for. The whole tonnage of the Weston Canal is 170,000 tons. These things which obstruct commerce are of no use unless there were no other route. There being a second navigation, how can this bar-toll protect anything? But we object to it for two reasons, first, because it drives us on to a worse navigation; and, secondly, it deprives the Weaver of a very appreciable amount of toll only which might go in reduction of the general tolls on the whole canal. They say we should take our works to Weston. We could have done that the last 12 years. The answer is, first of all, the cost of production is considerably larger at Weston than above. You have heard that at Winsford, though it is situated higher than Northwich, the cost of production is cheapest at Northwich, it is the next most expensive, and the most expensive of all is Weston Point, notwithstanding the brine is brought there. At Winsford and at Northwich, at each place a million and a quarter has been laid out on our works. Are we going to sacrifice two and a-half millions? It is an impossibility for us to remove our works on account of the cost, and moreover we are under lease; we cannot leave our works for the next 20 years; that is the shortest lease we have; other leases are very much longer, therefore it would be impossible for us, even if we were so minded, to go down there. If their present administration is to last in the present shape, by the end of 20 years this canal ought to be toll free. If they do their duty, they will not want these tolls by the end of 20 years. We cannot move before that time, therefore that is a conclusive argument against this very antiquated, and very unjust mode of charging, which recoils upon the people who make it, for they make nothing out of it; it is only a dog-in-the-manger business.

Mr. *Pope*.] In a very few words I propose to lay before the Committee the views entertained by the Cheshire County Council upon this matter. I should have been very glad to have maintained the judicious silence I have hitherto been able to maintain, if it had not been that my learned friend now in his speech, introduces and carries forward certain suggestions which have been made in the course of the evidence given by certain traders, of a design which they hardly like to avow *simpliciter*, but which they insinuate, in the hopes that the Committee may listen to it. Of course, the County Council have a dual character, they are the representatives of the general interests of the whole of the county of Chester, but they are also the inheritors of the statutory claim to the surplus, whatever it may be, of the revenues derivable from the Weaver Navigation. I am not instructed by the County Council to do more than claim that

that that statutory right may not be unnecessarily interfered with by this Committee. The position we ask you to take is this. Agree upon a fair and equitable Schedule of rates, which, under the circumstances of this case may be applicable to the River Weaver Navigation, and do not concern yourselves as to what may become of any surplus, accidental or otherwise, The question of surplus must be discussed as a matter of principle next year, because, as you know, the Weaver Trustees are under another statutory obligation to commit the happy dispatch next year, and to promote a Bill which is to remodel the trust. This question will then come up, and it may very well be that Parliament will then after hearing all parties interested, come to the conclusion that the application of such surplus derived from what we may call a commercial taxation, is not a fund which ought to be applicable to general county purposes. That will all be discussed next year, and it will then be decided upon what terms the county of Chester ought to called upon to surrender this right. Parliament has of late years shown a tendency to apply the surplus income of a navigation to the benefit of the trade making use of that navigation, as in the case of the constitution of the Mersey Docks and Harbour Board. It is familiar history to most of the Committee that the Mersey Docks and Harbour Board, being constituted a public trust, the revenues of the port of Liverpool are now devoted to the benefit of the commerce of the port of Liverpool, but they were met face to face with just such an an old antiquated statutory claim, as my learned friend calls it, on the part of the corporation or municipal body claiming town dues. My learned friend told you that those town dues were abolished, but he forgot to tell you that the public trust had to purchase those town dues at an expenditure of a million and a quarter, and a portion of the revenue of Liverpool is, at this moment, devoted to the payment of interest on the bonds created in order to purchase those town dues. I am not going to discuss whether this was an equitable settlement, but it is manifest, acting in the interests of the county council, I cannot allow their claim to be disposed of, as my learned friend would do it, by a side wind; but it must come to be discussed as a matter of principle next year. If Parliament disposes of it next year, it will do it upon equitable principles as it did in the case of Liverpool. Take this question of subsidence. The County Council are charged with the maintenance of the main roads of the county of Chester. This subsidence has caused an enormous expense in the maintenance of those main roads. There is not any road in the neighbourhood of Northwich, for instance, which is not constantly liable to subsidence, and the County Council of Chester has been compelled to resort to timber structure for their main roads, in order to prevent that subsidence. That is one of the expenses thrown upon the general county for the benefit of those who use the Weaver Navigation, because that subsidence is caused entirely or mainly by pumping the brine which is the raw material which creates the industry. Last year when the Brine Subsidence Bill was before Parliament, the question arose who were to be entitled to claim upon the fund which was there created, for damages, if they suffered any, in reference to the subsidence, and there were excluded from the benefit of that fund all parties who had an interest in the conveyance of the material dealt with by the works which caused the subsidence, railways, canals, and so on, because the county, being entitled to the surplus revenue of the Weaver Navigation, were practicatly held harmless by reason of any increased expense which that subsidence caused. But I do not care to argue that question now. I reserve myself for next year. Sufficient for the day is the evil thereof, but this I must say. What the County of Chester desire is, that this matter should be settled independently of any application of the surplus, that you should settle a fair and reasonable Schedule, and leave Parliament next year to deal with the question of any surplus, if any surplus arises. I doubt very much whether this Committee is empowered to deal with so large a question as the rights of the county of Chester, which have been secured to it by previous Acts of Parliament, but it would be assuming a responsibility which ought not to be taken by this Committee, if you were to give a lean Schedule for the purpose of securing that there should be no surplus in order that the county might not come in. That ought not to enter into the discussions of this Committee. You ought not to cut down what you think a fair and reasonable proposition for the trustees, in order that there should be no objectionable surplus to be handed over to the county. Leave the surplus alone; leave that to the Committee which will deal with the matter next year, and which will be appointed to consider the question in all its bearings. That is all, I think it right to say, on the part of the County Council on this matter. The county could not relinquish in favour of a particular section of the county, a claim which they may have, and which must be adjudicated upon by Parliament in the near future. I am here simply by my voice to preserve their right to raise the question in all its entirety when it comes to be discussed next year. Now comes another question. Besides being the inheritors of this statutory right the County Council are the representatives of the whole county, and they have looked at this question with a view to the interests of the whole county, and not to the interests of individual trades, or individual traders. It may be that Messrs. Brunner, Mond, and Company have a claim upon the consideration of the Committee; it may be that the Salt Union have a claim upon the consideration of the Committee. I do not interfere in that discussion. I leave that to be discussed by my learned friend who represents the Weaver, who will go in detail into the figures, and I do not want to inflict upon the Committee another speech which might extend to some length; but what I am instructed to say upon the part of the County Council is this, that looking at the whole question considering the interests of the entire county, they would regard it as a misfortune if the Weaver Navigation were unduly starved. It would be a misfortune to the county if, hereafter, it were to be found that this Weaver Navigation had been neglected or imperilled by

reason of insufficient provision being made for its maintenance. As far as I have gathered, there seems to be a general concensus of opinion as to what ought to be provided by the Schedule. namely, sufficient income to pay the working expenses of the navigation to meet the engagements of the trust in regard to borrowed money, and to leave a margin or surplus, which might come if it were worth while at present, to the county, but which will be dealt with by the Committee of Parliament next year upon the Bill to be promoted by the trustees, to leave a sufficient surplus to give to the trustees that elasticity of revenue which is necessary to enable them to raise any future capital for the purpose of future extensions if the trade should require it. Those are the matters which it appears to me should be provided for. I do not quite go with my learned friend Mr. Cripps, or my learned friend Mr. Littler, in their general principles of finance. Their arithmetic, having certain figures before them, no doubt was perfectly accurate, but their principles of finance seem to me to be somewhat odd. Mr. Cripps said you are to treat the necessary annual repayment of annuities and and the redemption of those annuities as though it were the creation of a fresh capital charge. It appears to the County Council that it is a sum that must be provided for year by year, and therefore the income of the trust ought to be sufficient to provide it. Mr. Littler says they ought to be compelled to remodel their financial scheme altogether and convert their terminable annuities into stock, which would extend the liability over a greater number of years, and, therefore, relieve these annual payments. I do not stop to inquire how far that is possible, or how far you would think it right to introduce into a Schedule of rates and tolls such a consideration as that. But I say it would be a misfortune if the Schedule were such as to leave the trustees without an ample provision for all fair and reasonable expenditure for the discharge of their engagements, and for a reasonable surplus to give a certain elasticity of revenue. Taking that view, I conclude what I have to say for the County Council by saying that we have come to the conclusion that the proposal of the trustees (it may be subject to modification) is a reasonable one. I will not say a word about mileage toll as against gross toll, because that is a special matter. There are no intermediate industries to be affected, except as between Northwich and Winsford. Whether you have a mileage toll or a gross toll does not seem to matter very much. There is no intermediate traffic that would be affected by a mileage toll; it is all Winsford and Northwich. I do not care to go into the question of comparison between alkali and salt though, to own the truth, I have always supposed that the main principle upon which all parties acting in fixing a tol I was, to use the rough and ready phrase of my learned friend Mr. Littler) to consider what the trade would bear, and nobody can say that Messrs. Brunner, Mond, and Company's trade which is the only alkali trade in this district cannot bear the toll proposed by the Weaver Trustees.

Mr. *Whitehead.*] There is the trade of Bowman Thompson and Company.

Mr. *Pope.*] So there is; that is a new industry. However that may be I confess I do not see how that could fail to be able to bear an increase of toll; and speaking for the County Council I should have no objection to such a Schedule of rates and tolls as would relieve the salt industry provided the income was made up by those who could best bear it, namely, the alkali people. For Messrs. Brunner, Mond, and Company to come here with their superior capacity for conducting that industry and say they cannot bear an increase of their conveyance rate seems to me to be somewhat ludicrous. I am far from saying that those advantages ought to justify your putting your hand into their pocket in order to keep the communication going but at all events it should prevent their being treated with any preference over other industries. That an article sold at 3*l.* 10*s.* per ton, yielding a profit of 30 to 100 per cent. at that price, could not bear an increase compared with salt costing 10*s.* a ton is I think quite unarguable. I am not instructed to interfere in the discussion as between the respective industries but I represent the whole interest of the county of Chester and I conclude by saying that we have associated ourselves in the amendments which are before the Committee with the Weaver Trust amendments. We support the desire of the Weaver Trustees to have their works maintained so as to enable them adequately to discharge their obligations and to have such an elasticity of revenue as may enable them to discharge their future obligations with energy and with certainty. Beyond that I have nothing to say for the county We must discuss our position next year, I only desire that it may be distinctly understood that on their behalf I do not relinquish any claim; I only leave it in the hands of the Committee to, if possible, agree upon a fair and reasonable Schedule, leaving all these difficult questions of application of surplus to be disposed of elsewhere, and at another time.

Mr. *Whitehead.*] I am sure my learned friend did not mean to make an inaccurate statement. He has not been in the room all the time; but that 100 per cent. which he has referred to as being made by Messrs. Brunner, Mond, and Company was not made when the 3*l.* 10*s.* was the price of their alkali; the price at that time was very much higher than it is now.

Mr. *Pope.*] I said 30 to 100 per cent.

Chairman.] We will hear what Mr. Pelham has to say for the Board of Trade before we hear Mr. Pember.

Mr. *Pelham.*] I think I may say that the Board of Trade agree with the view which has been so often expressed before the Committee that there should be an ample margin, and they think they have given that margin. In the opinion of the Board of Trade, the burden on the traffic, and particularly on salt, has been somewhat heavy, and that has been caused, as has been pointed out, by the trust having to pay out of revenue not only interest on the borrowed money, but also instalments of capital; but, of course, in settling the Schedule the Board of Trade had to take the question as it stands. It was urged by Mr. Pember

Mr. Pember that the Board of Trade had not adopted a gross toll because they were pledged to uniformity. Now in a great many cases the Board of Trade have proposed, where the distance has been very short, a gross toll, but they have had to consider whether the gross toll was "just and reasonable" in the words of the Act of 1888, and they have had to consider not only whether that toll was just and reasonable for traffic which went 13 miles or 19 miles, but whether it was just and reasonable for shorter traffic. It was stated by Mr. Pope that there was no intermediate traffic here, except as between Winsford and Northwich. In the first place it is always possible that there may be traffic in the neighbourhood of the Ship Canal, and it is important that there should be a toll which would fit that traffic; but besides that there is a very large amount of traffic at the present moment which passes over the Anderton Lift from Northwich on to the Trent and Mersey. That traffic goes only a mile or two, or a few hundred yards, and as things stand at present, it is liable to pay for that very short distance the gross toll of 1*s.* That, in the opinion of the Board of Trade is not a just and reasonable toll for so short a distance. The Board of Trade have no objection to the two towns of Winsford and Northwich being grouped, if the trustees wish it, for salt. I have noticed that the traders generally agree that a mileage toll is the best. Now the Board of Trade consider that there was a considerable surplus on the revenue of the year which was put before them; that was the year ending 31st March 1893; of course the Board of Trade had not before them the accounts for the year 1894, but it appears from those accounts that there is a balance of some 12,000*l.* or 13,000*l.* The last item on the left-hand column is "Balance carried to new works accounts, 2,273*l.*" The item before that is "10,000*l.* bonds paid off," which would not occur again; a little higher up you see, "Interest on bonds, 329*l.*" leaving a balance of revenue over expenditure of 12,500*l.* Then the Board of Trade also had in mind that some increase of traffic was possible and probable; there was evidence given at the Board of Trade Inquiry that if a lower toll was fixed upon salt, there would be a considerable traffic in salt. It was also suggested that the improvements effected by the Manchester Ship Canal might lead to some increase of traffic. Also the evidence which has been given before the Committee shows that there will almost certainly be an increased traffic in alkali at Northwich, and also at Winsford. Now, what occurred to the Board of Trade, in framing this Schedule was, that the toll on salt was too high, and that the toll on alkali was too low; but when it became the duty of the Board of Trade to frame the Schedule they were met by this great difficulty, that if the toll on salt was very much reduced, it would inflict a very heavy loss on the trustees, and that if, on the other hand, it was put at 9*d.* or 10*d.* to Northwich, it would be higher than the toll which was charged for alkali; and that was a thing which the Board of Trade wished to avoid. The Board of Trade felt that they could not materially increase the toll on alkali, and even if it was done, of course, it was uncertain how far it would turn out to be an advantage to the trustees. But, speaking generally, on the question of the amount of revenue, the Board of Trade admit that if there is any doubt whether the trustees can raise sufficient revenue, a little more toll should be given than that proposed. Now, a few words with your permission on the proposed toll on the Weston Canal. It has been generally agreed that in these Schedules any bar-toll must be abolished. The Board of Trade were under statutory obligations to consider whether any proposed toll was just and reasonable, and I take it that means very much. Would the trade bear it? It has been stated, I think, that the River Weaver Navigation is a highway, and therefore anybody is entitled to use it. I think it is said that all canals are highways subject to the usual toll. The Act of 1888 was passed with the view of giving traders a just and reasonable toll. Now we find that there are salt-works at Weston; but if the proposals of the trustees were adopted the Act of 1888 would give no relief to them; this canal would be no highway for them; if the proposals of the trustees were adopted the canal would be of no use to those salt-works. They would be in the same position as if a clause had been inserted in the general conditions, saying, "The Weston Canal shall not be used by the Weston Salt-works or any salt-works which may be established on that canal." Could the Board of Trade go in the face of the Act of Parliament and fix a toll which it was not meant that the traffic should pay? And then I should like to suggest also, for the consideration of the Committee (I think it has been already pointed out by Mr. Littler that this toll would not necessarily prevent the salt going there that goes there at present, but it is not free to take the route which is the best for it. I think probably, as the learned counsel for some of these towns pointed out, the effect of the Schedule without this 6*d.* toll would be that three or four pipes would be laid down from Northwich and Winsford, and salt works would spring up at Weston, as one witness said, like rooks in a cornfield. I think that if these pipes were going to be laid down in future, they would not be laid down merely to Weston, or anywhere on the Weston Canal; the probability is that they would go straight to the Manchester Ship Canal, and no doubt the Manchester Ship Canal would be very glad to get the salt for vessels which are passing along the canal to Manchester. I think I have told you the reasons which have guided the Board of Trade in settling this Schedule. I do not wish for a moment to suggest that the Committee should adopt the Schedule as it stands; I only wish to show the reason why the Board of Trade have made the proposals they have, and I agree with Mr. Pember that if there is not a sufficient margin, something more should be given; but the Board of Trade felt that they could not take tolls off one traffic and put them on another traffic.

Lord *Clifford of Chudleigh.*] I suppose the Act of 1872, which put 6*d.* on, put it on as a bar-toll.

Mr. *Pelham.*] Yes.

Lord *Clifford of Chudleigh.*] And that principle

principle was rather followed by the Act of 1888?

Mr. *Pelham.*] The Act of 1888, section 24, says: "Notwithstanding any provision in any general or special Act, every railway company shall submit to the Board of Trade a revised classification of merchandise traffic, and a revised Schedule." And then it goes on to say that the Schedule must contain tolls, &c., "which would, in the opinion of the Board of Trade, be just and reasonable." I take it that means "just and reasonable" for the purposes of the navigation, not for the purposes of stopping the navigation.

Mr. *Pember.*] With regard to what has fallen from Mr. Pelham, let me suggest this, that that Weston Canal, which he has last spoken of, was made for a particular purpose; it is artificial; it is not a natural highway. It is a creation under statue, and it was made for the purposes of Northwich and Winsford traders who wanted to get all the way down to the Mersey, and who said, Your navigation, which passes to the south by way of Frodsham Bridge to the Mersey is in such a bad condition that it is not equal to the rest of the canal, and, in fact, it forms a bar. So, in 1886, the Weaver Trustees, feeling that their navigation was imperfect (because it must be judged of by the worst link of the chain, which was the last part of it made), this is an artificial exit for the Weaver Navigation, not for the general purposes of mankind, but for the purposes of the navigation, as an artificial end to the navigation, and that canal was constructed for persons who were *bonâ fide* sending traffic down the Weaver. Is it likely that the trustees, in the interests, either of the county of Chester or the people of Northwich and Winsford, would have made the Weston Canal for the express purpose of letting people send traffic by the Trent and Mersey, just tapping the canal at the extreme end and going into the Mersey for nothing. I say for nothing, and that illustrates what I am saying. In the Act which gave them power to make this Weston Canal outside their own navigation, they took no power to raise any tolls, and why? Because they said the tolls we can take from the persons using the navigation as at present, that is on the whole of the Weaver Navigation, are sufficient for the purpose, we think that is all we ought to demand. That points to this, that the canal piece of the navigation was regarded by them as a part of the original navigation, as a substitute for the Frodsham end, and to be used by the people who used the rest of the navigation. Some years later, I think about the year 1870, this new devise of laying a pipe from Northwich to Weston came into existence and the trustees then awoke to what I may call a spurious use that was going to be made of their Weston Canal—that is to say, their artificial outlet to the Mersey. They found an opportunity was going to be taken of its existence, because it joined the Western Runcorn Canal, to create salt works practically on the Western Runcorn Canal which salt works were to be supplied with brine drawn through the county in a pipe, and there was the very evil which now is sought to be perpetuated starting into existence, namely, that the brine districts of Cheshire would be tapped; that all the damage resulting from that tapping would result to Northwich and Winsford and the neighbourhood, and that the brine without any resulting industry from it would go right down, though nominally in Cheshire, to the further end of it without any benefit accruing to the damaged districts, and further that a great deal of money that had been invested on the faith of the Weaver being used as a navigation for this making of salt from brine, would practically have been thrown away. They therefore went to Parliament, I think, with an unanswerable case; do not allow this spurious use to be made of that end of our navigation but give us such a toll upon it as will prevent that spurious and improper use being made of it. That is not so many years ago; that was 1872. Parliament then thoroughly considered the case in all its bearings and gave the toll. That is how the thing came about.

Sir *William Houldsworth.*] Was the maximum of 6*d.* given by Parliament?

Mr. *Pember.*] Yes; once more let me insist on an error into which some of my learned friends have fallen. They have regarded this Weston Canal toll as if it were something extra that the trade of the county of Chester has to pay. It is no such thing. A man who sends his salt from Winsford and Northwich does not pay a single penny more for his traffic so sent because that toll is put upon the Weston Canal. There is an express provision to the effect that the Weston toll does not apply to any traffic that has passed over any other portion of the Weaver Navigation, and for this reason, when it has passed over the Weaver it pays a toll of sixpence or eightpence or up to a shilling whatever they may charge within their maximum, but it does not pay a single penny of the Weston Canal toll. I hope I have made that clear. The Weston Canal toll was imposed by Parliament so late as 1872 for the special purpose for which Parliament intended it to subserve. What is the proposal of the Board of Trade and these gentlemen? To undo what Parliament did in 1872 and say: Henceforth you shall allow what I have ventured to call a spurious and improper use of this canal, to the detriment of the county of Chester and to the detriment of the damaged districts, to say that it shall be used so as to neutralise the value to a very considerable extent of all the expenditure in the upper reaches of the Weaver. That seems to me to be retrograde and bad, and a reversal of all that Parliament thought right to do in 1872. Now, let me deal with what I was going to say was a common error which Mr. Pelham has fallen into in speaking of this as a bar-toll. This is not a bar toll. A bar-toll is a peculiar kind of toll which, in the days of old Canal Acts, was inserted in those Acts for the purpose of conferring a benefit on some pre-existing canal with whose canal the new one was to effect a junction. Take, for instance, the canal system between Birmingham and London. You have the Birmingham Canal, you have the Napton and Warwick, then you have the Warwick, then the Oxford, and then the Grand Junction. All those canals were made by putting the new one as a butt-end addition to the old one, and they were made continuous. For the privilege of making that continuous route

Parliament

Parliament in those early days thought right to give the pre-existing line with whose canal the junction was made, a toll, which was a toll for getting rid of the bar between the old canal and the new, and using the two as a continuous route. The form the bar toll took was this : For every ton of goods passing to and from, say, the old canal to the new canal there should be a toll, say, of 6*d.* or 1*s.*, or whatever it might be. That was a bar-toll. This is nothing of the kind. A bar-toll is something in addition; this is no addition. A bar-toll would have been this : That for every ton of traffic passing from the old Weaver on to the new Weston Canal there should be an additional toll of 6*d.* That would have been a bar-toll. A bar-toll is something in addition; this is nothing in addition. A bar-toll would have been this, that for every ton of traffic passing the Old River passing on to the new Weston Canal there should be an additional toll of 6*d.* But it is not a bar-toll; it is an absolute misnomer, as will be seen by the very name itself, and in the next place because it entirely misconstrues the nature of the toll, and would induce Parliament to get rid of it on an utterly false supposition. There is one other thing I was astonished to find the Board of Trade positively said, and that is, even looking at our accounts for 1893, we had a surplus income of 13,000*l.* a year. It seems to me perfectly astounding. Take my Table B. I may say at once that the two accounts balance and there is no surplus.

Mr. *Littler.*] You will forgive me for interrupting you, but I was rather startled with the account you gave of the Weston Canal. According to the recitals in the Weston Canal Act, it is the reverse of what took place; the Weston Canal was made in 1807; since 1866 no charges have been made for the Weston Canal or for any part thereof, you forget that 1866 was before there was any brine work at all; it says, "and whereas, since the opening of the said canal various manufactories and works have been constructed on and near the banks of the canal from which the goods are conveyed along the Mersey free of toll, and thus abstract the navigation herein mentioned; and then it authorises these tolls.

Chairman.] That is what I understood Mr. Pember to say.

Mr. *Littler.*] They were going toll free to that portion; it was not a matter of stopping the brine going down, because no brine was invented. This is in 1866. This was an unopposed Bill in 1866, and it simply gives a toll of a halfpenny a ton on other parts of the navigation, because up to that time no toll had been charged; that has nothing to do with the brine question.

Mr. *Pember.*] That is precisely what I said, except that I gave the date of 1872 instead of 1866; that was because the brine was being worked.

Mr. *Littler.*] No, brine was not in existence until 1872. The Act was passed in 1866.

Mr. *Pember.*] The pipes were begun to be laid before 1866.

Mr. *Littler.*] I am told not.

Mr. *Pember.*] I will say to your Grace without further to-do, that I gave, according to Mr. Littler's own reading, the exact description of what the Act was; I am dealing with the Board of Trade. These are the net tolls. I see the two accounts balanced, and there was no surplus. Net tolls, 42,000*l.*; tolls and rates, 5,494*l.*; exceptional income, terminable in 1893–94, 7,896*l.*; total, 56,000*l.*; repairs and maintenance, 21,700*l.*; docks (expenses on), 5,906*l.*; interest on borrowed money, 9,589*l.*; annuities, 6,932*l.* What will not recur again is the item of 10,000*l.*, which is not absolutely balanced, but nearly balanced with the exceptional income to be terminable in 1893-94.

Mr. *Pelham.*] I counted new works, 4,922*l.*

Mr. *Pember.*] So far as I have yet gone, I mean to say that treating the 10,000*l.* as a loan for the purpose, that is all but got rid of by the ephemeral character of it, but would only leave me 2,000*l.* to account for, and when I get rid of that in the very first column of the expenditure accounts it was an exceptionally low year for expenditure on repairs and maintenance; there you find such sums as 26,000*l.*, 28,000*l.*, 25,000*l.*, 23,000*l.*, 22,000*l.*, 22,500*l.*; with the exception of one year, it is the lowest year for maintenance that there has ever been in the last eleven years of canal history; the average is 24,000*l.* Now as a matter of fact if to that 21,000*l.* you add as any prudent persons would have done 3,000*l.*, you possibly do more than get rid of the whole 10,000*l.* Now Mr. Pelham tells you that he treated the 4,522*l.* for new works as a thing that would not occur again.

Mr. *Pelham.*] As capital expenditure.

Mr. *Pember.*] As a matter of fact that is an expenditure that has gone on every year. You have 8,500*l.*, 17,900*l.*, 16,300*l.*, 18,900*l.*, 34,000*l.*, 26,000*l.*, 11,000*l.*, and then 4,500*l.*, and in the very next year there comes 6,305*l.* And besides what has this to do with surplus or revenue. I recollect that our total receipts are 49,000*l.* The 49,095*l.* which comes in on the expenditure side is the total arrived at before you deal with the 4,522*l.*, or the 6,305*l.* for the year 1894. So that his item of 4,522*l.* in 1893 or 6,305*l.* in 1894 is absolutely irrelevant, and beside the question. Therefore what you have to deal with is the two totals of 49,000*l.* One is the total of income, and the other is the total of expenditure. I say that new income of 8,000*l.* will disappear this very year, just as much as the 10,000*l.* expenditure will disappear; it means 2,000*l.* If you consider that I will repair and maintain my canal at the same average cost for 11 years more, then the other 2,000*l.* must disappear also. No one can get over that. I am not juggling with figures, it is perfectly true.

Now, I turn to my learned friend Mr. Littler's speech; I can generally forgive my learned friend Mr. Pope for anything he does, but he was rather wicked in taking out the plums in the pudding of inaccuracies. I took down seven of Mr. Littler's inaccuracies in five minutes. The first was most startling, that about the Liverpool Town Dues. I should have thought if there ever had been a man in Westminster who knew, but he did not, that the Liverpool Town Dues were not extinguished in the sense that they are

here applying to the words, it was my learned friend Mr. Littler; but I know how grossly ignorant I am of facts that may be A, B, C, to him, and I must forgive my learned friend and cease to be astonished that he did not know that. They were bought out for 1,255,000*l.* I am not sure that you ought not to take 100,000*l.* off it and that it should be 1,155,000*l.* Therefore I say this, that if you deal with the county of Chester in the same way that Parliament dealt with Liverpool, the county of Chester ought to get a very large sum of money for the extinguishment of the right to take the surplus. I do not rely much upon that, that question must be discussed by another tribunal in another year.

Then my learned friend laid down as a rule that there should be a doctrine of proportionate charge, and that because alkali was worth four times as much as a ton of salt, therefore the dues upon alkali should be 5*s.* against the ton of salt worth one-fifth of the amount. That is a pretty principle if carried out. What would be carriage of a five-carat diamond? The real truth is that you can soon reduce the thing to an absurdity. You must look to all the special circumstances, and deal with them accordingly. Then my learned friend said that which was too preposterous. He went into a deeper hole than my learned friend Mr. Pelham, if I may so call him. He said what would you think of a trading company in the position of the Weaver Trustees, their capital 200,000*l.*, their receipts 43,000*l.*, and their expenditure only 27,000*l.*? In the face of our Table B. and all the items carefully made out, how on earth could he suppose that the only expenditure we had to write off against our income was 27,000*l.*, with that string of figures under the head of repairs and maintenance and interest on borrowed money, annuities, and so on?

Now the third point was as to the conversion of our loan. We have a positive rating from him for not having converted our loan. I wonder if those instructing him took the trouble to look at our Acts? It is a curious thing, but you find it in the River Weaver Act of 1877; by Section 4, we are absolutely forced to raise our money by terminable annuities. Here is Section 4, the extension of our borrowing powers by which, in addition to the 200,000*l.*, that we are authorised to borrow by the previous Acts, we are authorised to borrow something more; we may "borrow by means of the security of terminable annuities for any period not exceeding 40 years charged upon the rates and tolls, any additional sum of money not exceeding in the whole 150,000*l.*;" so that the whole of the 150,000*l.* which is a very large slice out of our debt that has never been more than 280,000*l.* is absolutely compellable to be borrowed on terminable annuities of 40 years. And that is not all, "Provided that the trustees shall convert the whole of their said mortgage debt of 200,000*l.* into terminable annuities representing that amount, and shall not raise otherwise than by means of, and upon the security of terminable annuities more than half the moneys by the Act of 1872, and by this Act respectively authorised to be raised." We are bound to turn the whole of the mortgage debt into terminable annuities.

Lord *Clifford of Chudleigh.*] Does not it say except half?

Mr. *Pember.*] No. "And shall not raise otherwise than by means, and upon the security of terminable annuities more than half the moneys by the Act of 1872, and by this Act respectively authorised." That is to say, by the Act of 1872 we were allowed to raise 50,000*l.*, but you will find over and above all that, that in the recitals to the Act there is a recital to the effect that our mortgage debt, at that moment, consisted of 200,000*l.*, and we were, therefore, bound with regard to the whole of our mortgage debt at the date of this Act of 1877 to turn it into terminable annuities.

Lord *Clifford of Chudleigh.*] I take it from you that there is a margin that they may raise otherwise than by terminable annuities.

Mr. *Pember.*] If there happened to be any portion of that 50,000*l.* unborrowed, they might have borrowed it otherwise than by terminable annuities I assume. That is the main point. But here we are absolutely saddled in that way with the requirement to the extent I have shown you to maintain the system of terminable annuities; and I venture to say your Grace that it is a right and proper thing, because when my learned friend talks of saddling the trade with this, we have not saddled the trade with it. If anybody has saddled the trade with it, Parliament has—Parliament was quite justified—Parliament does it whenever it can—whenever people are affected in the same sort or way and persons outside a statutory undertaking not commercial are affected as they are here, Parliament insist upon termidable annuities. Look at all the corporation loans for gas or water or markets or anything of the kind. Parliament insists and insists strongly, not only that they shall be all raised by terminal annuities, but by annuities terminable in proportion to the length of life attributable to the works to be carried out. The Local Government Board continually graduate the number of years, and allow the annuities to run according to the vitality of the particular thing, to embank a reservoir, or lay down a gas or water main.

Now the next point I have to notice is about the Weston Canal. We put the toll on it to prevent it being used it is said. We propose to put no toll upon the Weston Canal, nor do we propose that it should not be used. We propose that the toll should remain as at present, and as was shown by an interruption of me just now existing for a much longer time than I thought. But there it is, we did not ask Parliament to put it on. Parliament in its wisdom put it on for a particular reason, not to prevent its being used. The canal is used for all traffic coming down the Weaver, but to prevent the particular user, which I call a spurious user for the want of a better adjective, and we ask that Parliament should continue that which they wisely put on 20 years ago. It is that mistake which led my learned friend into the last one that he made. He said the result of that is that that canal is only used by 157,000 or 158,000 tons. It is used by every ton of salt coming down the River Weaver, and for every ton of alkali coming down the Weaver, and every ton of goods coming down the Weaver, and coming back toll included. But what my learned friend really

really did mean, or what he must have had in his mind is this: that up to this time it is only used with regard to 150,000 tons of the stuff either manufactured at, or taken in by, the works at Weston. That is perfectly true. And although I should be very glad to get a greater number of sixpences, I am glad the user is not greater upon the terms of my getting the 6*d.*, because every ton coming on to the Weaver Canal under the circumstances would represent toll lost to me at Winsford. But the 150,000 tons refers to that alone, not to non-users of the canal for general purposes. It is the only issue to the Weaver that is used at all for this traffic.

Then my learned friend said again, we cannot leave Northwich and Winsford, because you heard the sneers in the box that our leases prevent us. The lowest of our leases is 20 years, and others much longer; it was not 20 years the witness named, but 50 years, but the leases he talked of were not leases of land that the Salt Union have at Northwich and Winsford, but they were the leases for the way-leaves for the pipes that take brine down to Weston. There was a question put by one of the honourable Members as to what the condition of the ownership of that pipe was, and in elucidating that, we elucidated this, that some of the pipe was laid on land of which they have the freehold; in some cases they only have an easement for a definite number of years, and a noble Lord asked whether the leases were long leases, and he said the longest was 50 years.

Mr. *Freeman.*] What the witness said was that the way-leave was for 50 years, but he also had leases of 20 years for the land upon which he got the salt.

Mr. *Pember.*] Then all I have to say is that it is absolutely irrelevant, because if it suits them to go to Weston the fact of their having a lease for 20 years elsewhere would not prevent them going, they have the works at Weston and they have the works at Winsford; why should not they increase the works at Weston if they thought it worth while? I leave that part of the case with one remark, and that is the novel system of finance which my learned friend, Mr. Pope said my learned friend Mr. Cripps would inaugurate. Mr. Cripps suggested that we must regard the annuities repaid with the sinking fund as capital and not as expenditure. If we treated it as capital what should we do? The money would have to be paid. The person entitled to the 6,932*l.*, would not be contented with the figure appearing in our accounts as treating it as as capital he would say: Treat it as you like, but let me have my money. Where am I going to get it? It would necessitate my borrowing 7,000*l.* every year as long as the annuities lasted, and the whole object of Parliament defeated, because I should have as big a debt at the end as I had at the beginning. Where am I going to get it? As to the probability of anybody giving it me, even if I had the power, I will deal with that in a moment. But let me recall the situation. These trustees are not a commercial body in any sense of the word. The mere fact that they have a fiduciary duty towards the county does not do away with that position. They are a body of men who simply have got two factors in a public capacity, duties and debts; that sums up the whole thing. At present, in order to perform our duties and keep our debts down we want an income of some 46,000*l.*; it works out instead of 45,000*l.* that I gave in opening over all the eleven years; because I have added up the expenditure during the eleven years, and we cannot keep those debts down and our duties performed under that sum of money. If anybody goes through the Table B., as I have, he will find it true. Besides that we must have something in case we want to improve our navigation. We have the swing-bridges at Northwich to make, and have got certain improvements in the river between Northwich and Winsford to make, and they represent an expenditure of 60,000*l.* Supposing you say we are able to borrow that sum at 4½ or 5 per cent., I do not know what it is exactly, there is an expend ture of 2,000*l.* or 3,000*l.* to replace every year that is to say, if I repaid the money to-morrow, the 60,000*l.*, my yearly expenses, including the service of debt, would go up by the amount of 2,000*l.* or 3,000*l.* per annum. Therefore I cannot do with a single sixpence less than I have had up to this time. I said I arrived at the 46,000*l.* I admit that I have taken into account the sum of 10,000*l.*, making 30,000*l.* in all which are under the head of "bonds repaid," and why? because those bonds are said to have been granted to the bank as a security for an overdraft which had gradually accumulated on ordinary items of expenditure during that period. Therefore you must consider in looking at what the average expenditure is, not that there was a total payment necessary of 10,000*l.*, 10,000*l.*, and 10,000*l.* in three yeras, 1891, 1892, and 1893, but that those three sums of 10,000*l.* represent items in the expenditure of that year; and therefore to get at the average I am bound to take them into consideration. Now, you have to remember this as to the decrease in the service of debt in future years. It is true that after a certain time, in 1907, there will be a serious diminution in the amount of money necessary for the service of the debt if it was never increased; but it is obvious that it will be increased. We know that the 60,000*l.* will be increased. Is this navigation to stand still? Are you going to hamper it in future so that it shall be bound to stand still? You will not, I am sure; you must look forward, not only to the fact that it will spend the 60,000*l.* that it is pledged to spend by its Act of last year, but also have to spend other moneys to a considerable extent from time to time. It is perfectly true that all our borrowing powers are not yet exhausted; but whether they are or not, whether, therefore, we can spend more money, as is suggested, with or without coming to Parliament does not matter. It is no use coming to Parliament for further borrowing powers, unless I can raise money. Who will lend me money if the income of my trust has gone down to the extent that the Board of Trade or my learned friends will drive it down? I hope there are such people in the world, because perhaps they will lend me money on equally visionary security, but everybody must know that it is out of the question to suppose that anyone will lend money to a trust merely in the hope that if the money is spent some day or other the business will increase. I will ask what is the

position of our business now; where is our margin? You ask for 60,000*l.*, where is the 3,000*l.* out of which I am to get my interest? My answer is, I cannot show it you, gentlemen. Then they will say, you do get my money. Would they lend me 1,000*l.* upon the supposition that if the money is spent the traffic will go up? No, they would want to see the traffic there. I have shown the infirmity of the Table put in to show a balance-sheet for me. They showed you that there are several thousands a year out, just as the Board of Trade were in their calculation of 13,000*l.* a year, but their own Table, erroneous as it is, only gives me 845*l.* a year balance; how much of my 60,000*l.* am I to spend at Winsford? Shall I I raise that balance on 845*l.*? Not a shilling. They would not lend 10,000*l.* upon so narrow a margin as that, especially as they see mine is a declining trade, especially as they hear all the facts given you as to how the salt trade in Cheshire is threatened with competition, not only at Middlesbrough and not only at Fleetwood, but in Germany, America, and other places. Who is likely to lend me money unless I can show a good margin of tolls? They suggest that our receipts may go up. Well, they may, of course, but that will not satisfy a financier.

But, passing from the financial question, suppose they do go up, then the rates may go down. The trustees only ask for maximum rates; they do not ask for rates that they shall be compelled to levy; they do not ask to be compelled to levy a 1*s.* on salt; they do not ask to be compelled to levy a 1*s.* upon alkali. All they ask is for a maximum, and if they find that they can do without charging their maximum upon either of those commodities, you may depend upon it they will. My learned friend, Mr. Pope, suggested, and I am disposed to agree with him, there is no reason why, in the present relations between alkali and salt as a matter of charge, it should remain what it is. I do not agree with that at all; and with that kind of spite which some people have against very rich people I should not mind if I could hit the joint-stock company of Brunner, Mond, and Company a little blow, and I would rather like to help the poor for whom I have a fellow feeling, and I should like to help the Salt Union a bit, and I should not mind at all hereafter if I could adjust rates by which adjustment I should get something more out of Brunner, Mond, and Company, and a little less out of the Salt Union. There is nothing in my Schedule to prevent it. I do not say that it might not be done and there is a very fair chance of its being done. I will tell you why? Because as you have heard already the trust is bound to be reconstructed; the trustees are bound to come next year for a reconstitution of the trust, and any reconstruction of the trust must be in the direction of giving the traders a very important voice in the matter. Then will be the time and they will be perfectly well able to do it under our Schedule for the Salt Union and Messrs. Brunner, Mond, and Company to fight out any question as to the relative taxation between themselves and the Weaver Trustees and get such an adjustment as they can get.

Then there is a futher point, the Northwich Carrying Company's witnesses let out that there is a very considerable check upon the proceedings of the trustees with regard to the rates of carriage by the inability of the traders to take other routes, and he said there is not a single soul for whom I carry the whole or part of their tonnage that could not go by some other route. That is a very strong case against doing anything that the trade cannot bear. All we ask for is the *status quo* to be retained. Who will suffer by the present of things? Not Brunner, Mond, and Company, certainly. They pay dividends which to me are a sort of golden dream. Just see what the tonnage of the salt trade was in 1866, and there has not been a single sixpence more raised on salt since? I have not got the earlier years, otherwise I have no donbt I should show a still more startling result; but in 1866 their tonnage was 775,000 tons. With the exception of the next year, in which it dropped about 15,000 tons, it was the culminating point in 1882, when it rose to 1,123,000 tons. Now, all that enormous growth of the trade was under the existing tariff. Now what is the trade? Of course it has gone down. Why has it gone down? It has gone down, not becanse our rates have increased, because they have not, but on account of competition. Look at Table M., and you see the thing at once. A great number of gentlemen in the box to-day and yesterday, who are no witnesses of mine, said that all the difficulty they had was over-production, and I think that is very likely the fact, and why I say it is likely is from the figures in the Table M. I say it has gone down since the year I mentioned, and why? Because during the last five years, on the Table you find that it goes down from 812,000 tons to 596,000 in 1889 to 554,000 tons in 1891, and it fell to 542,000 tons in 1892. Why? Not because our tolls increased, but because Hartlepool and Middlesbrough compete with Liverpool. They have run up from 18,000 in 1888, to 76,000 in 1892. Hamburg and Bremen have run up from 89,000 tons in 1888, to 108,000 tons in 1892. That has been the cause, but that does not make my rate an unjust or unfair rate in any way. The conditions that made my rate fair still exist. You wanted a navigation. It has been made. You want that navigation continued; it is maintained for you. You want it improved; it is being improved for you; it will be more still, and all that it involves is a certain amount of expenditure per annum on management or maintenance on the service of the debt; and we are creating new works which we shall create for you. Those are conditions making the rate, and it is only by adding a fair rate that we can fulfil our duties to you, and the obligation that we have undertaken with our eyes open. The fact that you find yourself in competition with other people does not militate against its being fair for a moment. The Salt Union say they only pay 2½ per cent. What you pay upon your capital depends upon what your capital is. I have no doubt the Salt Union has found what every other body of men have found, that it is a very expensive game to try and make a monopoly, and I have no doubt if the truth is told they paid a great deal too much money for many of the properties they bought. That is why they pay so small a dividend, and why they are whining here

But

But it is clear that persons more important than the Salt Union or Brunner, Mond, and Company would be sufferers if you made any radical change in this state of things. Take Winsford. I mean the whole population of Winsford and the neighbourhood, and all the different traders who are centred at Winsford and not at Northwich. There is Table R., which I think is in the bundle of Tables that I will look at upon that point. You find from the year 1884 downwards the per-centages of the Winsford traffic and the Northwich traffic, with a view to seeing how they bear upon the total traffic of the Weaver, are brought together. Northwich, as it stands, has been rapidly overhauling Winsford. In spite of what the witness told you this morning that Northwich salt is more expensive to work and to get than Winsford salt is, and that there are also subsidences and other matters. That Table contains the per-centages that Winsford and Northwich, from the year 1844 down to now, have contributed to the trade of the Weaver. I say that it is the fact that it is dearer to make salt at Northwich than it is at Winsford, and yet Northwich has been overhauling Winsford. In 1884 Winsford sent 67 per cent. of the traffic, and then the per-centages approach one another, until at last in 1893 Winsford still sends 51 per cent., but Northwich sends nearly 50 per cent., 48·95.

Mr. *Whitehead.*] Do these figures include alkali?

Mr. *Pember.*] They include everything; it is the per-centage of revenue contributed by Winsford and Northwich; they include everything. Winsford has contributed 67 per cent. in the first of the years and 51 per cent. in the last. Now, at present, therefore, in spite of its relative distance from Weston Point, Winsford can hold its own: but would Winsford hold its own if you had a mileage toll for salt, which is the bulk of the traffic down the Weaver in tonnage and receipts too?—It is 31,000*l.* out of our total receipts of 39,000*l.* for the year 1894; so that, though that Table does include the other matter it is not an important addition; would it be able to hold its own if in this important matter of salt we had a mileage differential rate between it and Northwich? I should say certainly not. They are here to make a fuss about a halfpenny and a penny a ton. Now, can Winsford stand the duty? I say Winsford could not. There is a suggestion made in order to get rid of the argument that we are bound to group Winsford with Northwich, but, unfortunately, if we did we might get Winsford out of trouble but get ourselves deeper into the hole, for there is a limitation in the Board of Trade Schedule, and that limitation is a maximum toll per mile, and unfortunately that 7·80*d.* is the maximum toll per mile that we can charge Northwich; therefore if we grouped Northwich and Winsford we should have to let Winsford off with 7·80*d.*

Mr. *Pelham.*] No, we have put the toll up to make the Winsford toll apply to Northwich.

Mr. *Pember.*] That is 9½*d.* to Northwich, the Northwich toll goes up to the maximum of 7·80*d.*

Mr. *Pelham.*] I proposed to alter it.

Mr. *Pember.*] I say I am dealing with the Schedule as it stands, and I cannot group them without getting the trustees deeper into the hole than the Board of Trade put them. The meaning is that the whole of that 9½*d.* goes. I cannot overcharge Northwich, and I shall have, if I group at all, to let Winsford off with 7·80*d.* Then there are other measures in the Board of Trade Schedule to which I might call your attention shortly. Wherever the Board of Trade has given us power to charge a little more it is upon articles that we cannot put the charge upon. Here is our coal traffic going down; there is power to charge coal at 6*d.* instead of 4*d.*, which we hitherto charged; it is all very well for the Salt Union people to say they would not mind it. I daresay not, because they would lose only 200*l.* with regard to their coal, and they would gain 1,000*l.* or 2,000*l.* on alkali. But other persons would not stand it, and we could not put their coal up. The moment we charge them more than other people they would come down upon us for undue preference, and we know well that we should be in the law courts.

There is just another point which I should like to mention. They talk of the trade having grown upon the faith of the 8*d.* toll. Why should it be supposed that an 8*d.* toll should be put on? Everybody coming to the Weaver knew, or ought to know, that the maximum toll is 1*s.*, and therefore what they grew up under was the knowledge that they might at any time, if the necessities of the navigation rendered it advisable, be charged 1*s.* And what did our creditors advance their money upon? They acted upon the faith of maximum tolls, not the tolls actually charged at the moment, and they must be considered because they are the persons who advanced the quarter of a million of money. They are not like railway creditors. Railway debenture-holders, as a rule, represent one-third of the share capital of the company, and behind them, and before they can suffer any loss, there is all the dividend to be peeled off the ordinary share stock. Here there is no margin. The county has not received 1*s.* for the last five years. Our creditors stand in the full front of the battle, and any serious diminution in our receipts makes a diminution in their income as creditors.

Now, on the whole, your Grace, may I not ask with some confidence, have not I proved my opening statement? You must keep this concern solvent, and somewhere more than solvent, and so hand it over to our successors if we are to have successors at all. They will be obviously so constituted as to represent the traders, and you may as well leave the future of the tolls in their hands.

As to the notion of uniformity I do not think I need say a word beyond this. Uniformity may be a very fine thing with regard to canals or railway companies in the same relative situation. This canal is (as the gentleman called it in the box the other day at the Inquiry before the Board of Trade, and he repeated the same thing this morning in answer to me) a thoroughly unique navigation; it has not got those connections which all other canal navigations all over the

the kingdom have with neighbouring navigations to bring forward a great through traffic. Therefore we cannot look to an expansion of the traffic to which other navigations and other canals may look connecting one with the other all over the kingdom in consequence of through rates and through routes.

Now one word as to the Weston tolls and I can cease. That is modern, it is not as if it was an antique thing. This abstraction of the brine without the co-relative industry of making the salt is an unmixed evil; everybody thought so, including the Salt Union in 1891 or 1890. Now in whose interest would you abolish it? Simply and solely in the interest of that one particular industry which has taken its rise at Weston Point and no other. There is nobody else interested.

In conclusion, I say that I stand here in support of a system which has been sanctioned by 170 years of usage under which every single trader in this part of Cheshire has sprung up, and until this unfortunate occurrence arose with the Salt Trade for which we are not responsible has flourished and I stand or fall upon the result which it will be extremely dangerous and extremely unfair to various bodies of men including our creditors to vary.

Mr. *Spicer.*] We have before us figures which the Board of Trade produce and those of the Salt Union; you have not placed before us any figures showing what revenue your proposals would give.

Mr. *Cripps.*] £53,000 against the Board of Trade 47,000*l.*

Mr. *Pember.*] I cannot take anybody else's figures. You have no Table, but I can explain it in two minutes. We have put in no table, we only gave it in evidence but the gist of it is this; inasmuch as we ask for our present tolls and do not ask for any alteration it is unnecessary to put in a Table before you, because if future years remain what 1893, 1894 were, our income would be the same as in those years.

Sir *William Houldsworth.*] You have two proposals and that applies to both proposals, one is a gross toll and the other a mileage toll.

Mr. *Pember.*] Yes, the amendment I ask for in the first instance is first our amendment which is *status quo.*

Mr. *Cripps.*] We cannot assent to that proposition.

Mr. *Littler.*] If they put up our toll on the alkali it would be more.

The Counsel and Parties are directed to withdraw.

After some time the Counsel and Parties are again called in.

Chairman.] The Committee accept the Schedule as proposed by the trustees of the River Weaver, and the 6*d.* toll upon the Weston Canal remains.

Mr. *Littler.*] The River Weaver have two proposals, one mileage, and the other gross.

Chairman.] We accept the gross.

Mr. *Claude Baggallay.*] May I mention a point that I have mentioned once or twice before? —I intended to make it clear. The Weston Canal toll are not cumulative, but the 6*d.* toll will be included in the Weaver toll.

Mr. *Pember.*] That can be made clear.

Chairman.] Are there any more amendments.

Mr. *Littler.*] There is one thing ,it is of considerable importance. As your Grace knows we carry a very considerable quantity of rock salt. Up to the present time our rock salt has been reckoned as 2,600 lbs. to the ton. I do not know, now that the Board of Trade Schedule is rejected whether we are still entitled to that, because it makes a considerable difference to us. My learned friend Mr. Moon has our proposal at the bottom of page 5, that the maximum toll for rock salt is not to exceed 6*d.* My learned friend agrees that it shall not exceed 5*d.*; that meets my point.

Sir *Richard Paget.*] We take the real ton at 5*d.*

Mr. *Pelham.*] Does the decision of the Committee as regards the Weston Canal take in the whole of the Table upon page 2, or only the 6*d.*?

Chairman.] It takes in the whole of the Table.

Mr. *Littler.*] Then there is another question that you will find upon page 5 of the amendments, that is the question of exemptions: "(IV.) No toll and charges shall be payable on any merchandise passing in a boat between the works of the same owner on the navigation and not passing through a lock." The (VI.) sub-section comes out in consequence of my learned friend agreeing to the 5*d.*

Mr. *Moon.*] As regards (V.) I should not agree to that.

Chairman.] (IV.) you agree to.

Mr. *Moon.*] Yes.

Mr. *Littler.*] (V.) is "all tolls and charges shall be payable in respect of any empty bags, barrels or cases, passing in a boat for the purpose of being filled at the works of any bye-trader with merchandise, on which tolls will become payable." I cannot conceive why the trustees will not assent to that. For the purposes of their own traffic we have to send empty cases, and very largely so in our trade, for the purpose of their being filled to go on further down the canal, but we have them on our own premises. (*After consulting with the other learned Counsel.*) My learned friends are all agreed.

Mr. *Moon.*] We do not object to the exemption of bags, casks, and cases going to the manufacturer's works if they are going to be filled at the manufacturer's works, but if they go up to dealers, then they ought to pay; then we can modify the wording of the clause. May we be permitted to bring up to-morrow words to carry out what we propose.

Mr. *Whitehead.*] Before anything is done, may I point out on behalf of the Northwich Carrying Company I assent to the general principle of that clause (V.) if it is limited, as your Grace and the Committee will see, to goods going to the works of bye-traders, and not pay toll upon it; that provision, if inserted in the Schedule,

Schedule, should apply equally to traders as to bye-traders; that the bye-trader should not have a benefit and advantage over the ordinary trader sending his goods by means of the carrying company.

Chairman.] Do you agree upon the principle?

Mr. *Littler.*] Mr. Moon and I are agreed.

Chairman.] Could not you meet Mr. Whitehead, and bring up the clause agreed on?

Mr. *Moon.*] We can very easily do that.

Mr. *Whitehead.*] Then there is one other thing I am interested in upon page 5. The Salt Union, Limited, Bowman and Co., Limited, and Brunner, Mond, and Co., Limited; they all ask for the clause which maintains the present exemption as to manure, and so on, to be struck out.

Chairman.] You do not press No. (VI.)?

Mr. *Littler.*] No, that goes.

Chairman.] (IV.) and (V.) will be brought up to-morrow morning.

Mr. *Littler.*] The only other thing is on page 13, line 34, of the Order, Clause (IV.) that is a saving of certain exemptions "in respect of manure for the improvement of land within five miles of the River Weaver Navigation, or in respect of materials for the repair of public highways within the county of Chester, or in favour of owners and occupiers of land or tenements within any of the townships of Sutton, Clifton, or Weston." I shall be prepared to give evidence, if necessary, but it follows most of the other exemptions; there is no reason for upholding it.

Mr. *Moon.*] I should assent to it being struck out, on behalf of the trustees, with alacrity.

Mr. *Pope.*] I am not instructed about it; I have nothing to say.

Chairman.] Then it will be struck out. Mr. Moon, this goes as part of the Table, page 1, of your amendments for the trustees of the River Weaver. "Provided that notwithstanding anything in the above Table, the maximum toll for cherlstone, clay (china, blue, black and ball) china, stone flints, and felspar to be used as potters' raw materials, shall in no case exceed eightpence per ton."

Mr. *Moon.*] I propose that.

Chairman.] Nobody opposes it.

Mr. *Littler.*] We do not assent to it.

Chairman.] We take it as a whole as what Mr. Pember suggested.

Mr. *Littler.*] There is no possible reason why clay, a matter more valuable that salt, should be eightpence. If they put in salt I shall be content.

Mr. *Pelham.*] It is very important that it should go in.

Chairman.] We accepted it as a whole.

Mr. *Littler.*] If the Committee accept it as a whole, I have nothing to say.

Chairman.] Page 1 of the amendments we accept as a whole.

CANAL TOLLS AND CHARGES.

PROVISIONAL ORDER (No. 10) (Canals of the Caledonian and North British Railway Companies) Bill.

On Tuesday, the 17th of July, the following Petitions against the Bill were read:

The Petition of J. S. DUNN AND COMPANY AND OTHERS:

Mr. *Balfour Browne*, Q.C., and Mr. *Whitehead* appear as Counsel in support of the Petition.

Mr. *A. Beveridge* appears as Agent.

The Petition of MERCHANTS AND TRADERS ON THE FORTH AND CLYDE NAVIGATION:

Counsel reserved.

Messrs. *Neish and Howell* appear as Agents.

The Petition of the CALEDONIAN RAILWAY COMPANY:

Mr. *Littler*, Q.C.; Mr. *Pember*, Q.C.; Mr. *Cripps*, Q.C.; and Mr. *Bolton* appear as Counsel in support of the Petition. Messrs. *Grahames and Company* appear as Agents.

Mr. *Littler.*] Your Grace, with regard to the Caledonian Railway Company's Canals, with the approval of the Board of Trade, we have settled with everybody, so that, unless the Committee desire to go into any of the facts, I do not desire to put any before them. If your Grace approves of what we have agreed to, there will be an end of the case.

Mr. *Balfour Browne.*] I appear with my learned friend, Mr. Whitehead, for the Petitioners against the Bill. The arrangement come to is perfectly satisfactory to our clients, who are traders and owners upon the canal.

Mr. *Littler.*] There may be one little question of drafting to submit to Mr. Pelham, but it is only a question of drafting.

Mr. *Balfour Browne.*] Mr. Pelham thought that instead of putting in a long story, it ought to be put in a Table, and I have no objection to that.

Mr. *Littler.*] That is only a question of detail; it may be taken as settled.

Chairman.] Very well, we take it that the matter is settled.

[*The following agreed Amendments are handed in*:—]

CANALS OF CALEDONIAN RAILWAY COMPANY, FORTH AND CLYDE CANAL.

MONKLAND CANAL.

AGREED AMENDMENTS.

(CALEDONIAN RAILWAY COMPANY.)

Page 3, line 12:

After "canal," insert "in a boat, or otherwise."

Page 3, line 18:

Add, "in a boat, or otherwise."

Page 3, line 25:

Add, "in a boat, or otherwise."

Page 7, lines 8 to 15:

(1) Omit Section (1), first and second paragraphs, and insert instead thereof:

"(1) For a boat (whether containing merchandise or empty) which passes through one or more locks on the canal between Grangemouth and the Summit Level, the company may charge a minimum toll of 5*s.*, or through one or more locks between Bowling and the Summit Level, a like minimum toll of 5*s.*, or through one or more locks between Port Dundas and Woodhall, a like minimum toll of 5*s.*; provided that such boat is not an empty boat returning after delivering cargo, in respect of which there has been paid to the company a toll of not less than 5*s.* in respect of each such distance on the canals, or is not on its way to load cargo in respect of which a like toll will become payable to the company."

Page 7, line 19:

Omit "a" before "mile," and insert instead thereof, "the first mile the company may charge as for a mile and for a fraction of a mile after the first."

Page 8:

Omit Table A., part I., and substitute the following:—

Table A.

Part I.—Maximum Tolls and Wharfage Charges applicable only to the Canals of the Caledonian Railway Company.

In Respect of Merchandise comprised in the undermentioned Classes.	For the First 10 Miles or any part of such distance.	For the next 10 Miles or any part of such distance.	For the next 10 Miles or any part of such distance.	For the Remainder of the Distance.	Maximum Wharfage Charges.	
	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton.	
	d.	*d.*	*d.*	*d.*	*d.*	
A	0·75	0·45	0·25	0·15	1·50	A
B						B
C (Except timber)	0·85	0·65	0·55	0·35	3	C (Except timber)
For Timbe	1·00	0·85	0·70	0·40	3	For Timber
1	1·00	0·95	0·85	0·60	3	1
2					4	2
3					4	3
4					4	4
5					4	5

Provided that, notwithstanding anything in the above Table, the maximum tolls for engine ashes shall not exceed 3*d.* per ton; and for rock salt and white salt in bulk, passing between Bowling and St. Rollox, or any intermediate place, stones under Classes A. and B., sand and gravel shall not exceed 4*d.* per ton, and for oil passing between Bowling and Port Dundas or any intermediate place, manure (unmanufactured, street, stable, and farmyard) in bulk, ironstone, iron ore, limestone and lime, shall not exceed 6*d.* per ton; and for artificial manures, muriate of potash and phosphates under Classes A. and B., passing between St. Rollox and Bowling or any intermediate place, pig-iron, bricks, and clay (common and fire), common draining tiles, coal, coke, dross, and rock salt (except as otherwise herein provided) should not exceed 8*d.* per ton; and for cement, chalk in the rough, flints, nickel ore, turnips, carrots, and mangold wurzel for cattle feeding, and timber passing for any distance between Port Dundas and Bowling shall not exceed 9*d.* per ton; and for artificial manures and phosphates under Classes A. and B. passing between Port Dundas and Grangemouth, and white salt (except as otherwise herein provided), shall not exceed 1*s.* per ton; and for cast-iron pipes (gas, water, air, steam, and underground), grain, kelp, artificial manures, muriate of potash, and phosphates under Classes A. and B., (except as otherwise herein provided), Epsom salts, barytes, red lead, and linseed shall not exceed 1*s.* 6*d.* per ton; and for oil (except as otherwise herein provided), carbonate of potash, soda, salts, and chloride of magnesium shall not exceed 2*s.* per ton; and for deals and battens passing between Grangemouth and Bowling shall not exceed 2*s.* 1½*d.* per ton. Provided also that where, in respect of any of the said articles, wharfage is charged by the Company the cumulo amount of tolls and wharfage charges shall not exceed the amounts in this proviso specified.

Ordered, That this Committee be adjourned to To-morrow at Half-past Eleven o'clock.

Die Jovis, 19° *Julii* 1894.

PRESENT:

Duke of Richmond and Gordon.	Sir William Houldsworth.
Earl of Lauderdale.	Sir Richard Paget.
Lord Clifford of Chudleigh.	Mr. Joseph Richardson.
Lord Hawkesbury.	Mr. Spicer.
	Mr. Samuel Young.

His Grace the DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 6) BILL.

(River Lea, &c.)

River Weaver Navigation.

Chairman.] Have you come to any arrangement upon this matter that was left over?

Mr. *Moon.*] Yes, your Grace, I think it is all adjusted. Your Grace will remember there were some amendments of the Salt Union, and the Weaver Trustees and the Salt Union have adjusted their differences; therefore so far as the Weaver Trustees are concerned I have nothing more to do with it. I do not think it is open to anyone to object.

Mr. *Whitehead.*] I raised a question on behalf of the Northwich Carrying Company, but my learned friend has adjusted it in a clause, and so far as they are concerned I am content; but there was one other question that was not settled in a verbal form yesterday. It was this: Under the amendments proposed by the Weaver Navigation, the tolls upon the Weston Canal would have been cumulative. That, the company said, they did not intend, but their own amendments would have had that effect. I think it wants adjusting before the Bill is passed by the Committee.

Mr. *Moon.*] I am willing that it shall be adjusted, and I propose that we shall leave it to Mr. Pelham to adjust it. We will take care that the two tolls are not given us.

The following further Amendments were made in the Order. After Table A. insert the following provisos:—

"Provided also that the tolls and charges payable on any merchandise passing in a boat between the works of the same owner on the navigation, and not passing through a lock, shall not exceed for the whole distance fivepence per ton in the case of rock salt, and sixpence per ton in the case of all other merchandise.

"Provided further that no tolls and charges shall be payable in respect of any empty bags, barrels, or cases passing in a boat for the purpose of being filled at the works of any trader or bye-trader with merchandise on which tolls are subsequently paid."

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 8) (RIVER CAM, &c.) BILL.

On Tuesday, 17th July, the following Petitions against the Bills were read:—

The Petition of the South Level Drainage and Navigation Commissioners and the Eau Brink Navigation Commissioners.

Messrs. *Dyson and Company* appear as agents in support of the Petition.

19 *July* 1894.

The Petition of the CORPORATION OF BEDFORD.

Messrs. *Speechly and Company* appear as agents in support of the Petition.

The Petition of the MINING ASSOCIATION OF GREAT BRITAIN.

Messrs. *Sharpe and Company* appear as agents in support of the Petition.

The Petition of the MANSION HOUSE ASSOCIATION ON RAILWAY AND CANAL TRAFFIC FOR THE UNITED KINGDOM (Incorporated):

No Counsel or Party appears in support of this Petition.

The Petition of the CORPORATION OF PETERBOROUGH (against Alterations):

Mr. *F. G. Mellows* appears as Agent in support of the Petition.

The Petition of the CORPORATION OF WISBECH:

Mr. *Pope*, Q.C., and Mr. *A. B. Frere*, appear as Counsel in support of the Petition.

Messrs. *Rees and Frere* appear as Agents.

The Petition of the NENE NAVIGATION COMMISSIONERS (Third Division):

Mr. *Claude Baggallay* appears as Counsel in support of the Petition.

Messrs. *Rees and Frere* appear as Agents.

The Petition of LEONARD TAYLOR SIMPSON:

Messrs. *Batten and Company* appear as Agents in support of the Petition.

The Petition of the CONSERVATORS OF THE RIVER CAM (against Alterations):

Messrs. *Wyatt and Company* appear as Agents in support of the Petition.

RIVER CAM NAVIGATION.

Mr. *Coates.*] THERE were two small amendments, one with respect to the Eau Brink Navigation, and the other with regard to the South Level Drainage Commissioners. We have settled them both with the opponents and with the assent of the Board of Trade. The two amendments which we should have moved we have given up. Your Grace has seen those amendments, and they will give you no further trouble.

Mr. *Pelham.*] Your Grace, I do not know whether I am in order with regard to No. 8 Order. Your Grace has just passed two amendments in that Bill and now there are two others. The River Cam I am speaking about on page 7. The River Cam has made certain concessions and the opposition has been withdrawn. I suppose the Committee can take that from me, but I have it signed. There are just two amendments. Page 7, Table A., omit "maximum wharfage charges" and insert after "maximum tolls" the words "including wharfage charges." That is part of Table A. Then on page 7, line 34, after the word "fuel" insert "or for bricks and tiles."

Then the Thetford Navigation, page 14, in lines 27, 28, 30 and 33, which is the clause relating to minimum toll, omit "two shillings and sixpence" and insert the words "one shilling;" then on page 15 omit lines 1 to 3; page 15, line 14, after the word "borough" insert "as the undertakers of the Thetford Navigation;" page 15, lines 31 to 38, leave out the brackets and figures in the maximum tolls column; lines 31 to 38, bracket A., B., and C. together and insert 0·50*d.* in the maximum tolls column; that is to say A., B., and C. are to be 0·50. Then on the same page, lines 34 to 38, bracket 1, 2, 3, 4 and 5 together and insert 1·00*d.* in the maximum tolls column, and in that same Table omit the column of "maximum wharfage charges" and put it in under the head of "maximum tolls, including wharfage charges;" this is signed on behalf of the opponents and also on behalf of the town clerk of Thetford and the corporation, who are the promoters.

Chairman.] Is that all of No. 8?

Mr. *Pelham.*] No, there is a fight on the River Nene Navigation.

The

The following further amendments were made in the Order:

EAU BRINK NAVIGATION.

Page 8, after line 1, insert:

Saving of Exemptions

(1) "Nothing in this Schedule shall alter, vary, or affect any exemption from tolls provided for by Section 82 of the Eau Brink Act, 1795 (35 George III., cap. 77), or by Section 16 of the South Level and Eau Branch Act, 1893 (56 and 57 Vict., cap. 12)."

TABLE A.

Third column, omit the words "maximum wharfage charges" and "1·50*d.*, 3*d.*, 3*d.*, 4*d.*, 4*d.*, 4*d.*, and 4*d.*"

Insert after "maximum tolls" the words "including wharfage charges."

Amendments to the Special Sections applicable only to the South Level Navigations.

Page 13, lines 38 and 39, omit from "the Section" in line 38 to "1827," in line 39, and insert "Section 89 of the South Level Act, 1827."

Page 14, line 4, omit "the part" and insert "those parts;" line 5, omit "River Ouse" and insert "Rivers Ouse and Lark."

Omit Table A. and insert the following in lieu thereof:

"Table A., part 1, maximum tolls and wharfage charges applicable only to the South Level Navigation:

In respect of merchandise comprised in the undermentioned Classes,	Maximum tolls including wharfage charges,
A., B., C., 1, 2, 3, 4, and 5.	Per ton, 4·00*d.*

Provided that notwithstanding anything in the above Table the toll for coal, culm, coke, charcoal, or other fuel, or for bricks, tiles, road materials, stones, pebbles, sand, clay, or limestone conveyed on the said navigation shall not exceed 2*d.* per ton."

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 7) (RIVER ANCHOLME, &c.) BILL.

On Tuesday, the 17th July, the following Petitions against the Bill were read:

The Petition of the Company of Proprietors of the THAMES AND SEVERN CANAL NAVIGATION.

Mr. *L. B. Page* appears as Agent in support of this Petition.

The Petition of the MINING ASSOCIATION OF GREAT BRITAIN.

Messrs. *Sharp and Company* appear as Agents in support of the Petition.

The Petition of the SOUTH EASTERN RAILWAY COMPANY (against Alterations).

No counsel or party appears in support of this Petition.

Thames and Severn Navigation.

Mr. *Page.*] I APPEAR as Agent on behalf of the Thames and Severn Canal Company. I regret that their financial position does not enable them to employ counsel. The effect of the proposals of the Board of Trade upon the revenue of the company is so serious that they feel it their duty to bring the matter before the Committee in the best way they can, and to seek to obtain some relief. I trust the Committee will make allowance for the imperfect way in which I am able to lay the case before them. Your Grace has the amendment before you; you observe that the first and fourth amendments are merely verbal. The canal has been incorrectly described as the Thames and Severn Navigation instead of the Thames and Severn Canal Navigation. Then, your Grace, the only important amendment is the last; and if your Grace will kindly allow me I would like to take that one first; and I think if I may be permitted to make a very short statement I shall be able to explain the position and save waste of time. I may state to your Grace that there is no opposition on the part of the traders to my proposal, but the Board of Trade I understand adhere to what they propose in the Provisional Order.

Earl of *Lauderdale.*] Does your amendment apply to the whole traffic, or only to one class?

Mr. *Page.*] It applies to the whole traffic, but to a very small portion of the canal, namely, the wide portion, the red.

Sir *William Houldsworth.*] Does it apply to Class 1, or to the whole of the classes?

Mr. *Page.*] It applies to the whole of the Classes from A. to 5 inclusive.

Sir *William Houldsworth.*] Line 16 refers to where 3*d.* is in the Schedule.

Mr. *Page.*] Yes; for 3*d.* I ask the Committee to substitute 6*d.* The canal, your Grace, was authorised in the year 1783, and, as its name implies, was to form a connection between the Thames and Severn. It commenced at Stroud, to which point the Stroudwater Canal had already been constructed, a distance of eight miles; and from Stroud it passes eastward over the Cotswold Hills to Lechlade, on the Upper Thames. Its total length, including the short branch to Cirencester, is 30 miles. From Stroud it has to rise a height of 245 ft. in order to get over the Cotswold Hills. That it does in a distance of seven miles, by a series of 28 locks, an average of four locks a mile; it then reaches the summit level; that summit level is nine miles in length. It includes the branch to Cirencester, and also includes a tunnel nearly two and a-half miles long. That summit level has been one of the main difficulties that the canal has had to contend with: first, on account of the scarcity of trade; secondly, on account of the scarcity of water; and thirdly, because the canal passes through a peculiar geological formation, namely, the oolitic limestone, which is so full of fissures and cracks that the water that is pumped into the canal, to a great extent, runs out again almost as quickly as it is pumped in. The Stroudwater Canal, I should mention, is a broad canal; that is to say, from the Severn to Stroud it is a broad canal 16 feet wide in its locks, and therefore admits of steam towing barges from Stroud up to Brimscombe Port. The Thames and Severn Canal is also a broad canal. East of Brimscombe Port it is a narrow canal, or rather a medium width canal; and at Brimscombe Port, therefore, the cargoes have been always transhipped from sea-going barges into canal barges, or else the heavily weighted canal barges have had to be lightened. For a distance of 2½ miles it is broad, and for the remaining 27½ miles it is narrow. Then from Stroud to Brimscombe Port it is 2½ miles long. Originally the traffic upon the canal was considerable, but in the year 1845 a new branch of the Great Western Railway was opened, and from that time the traffic has continuously declined. In the year 1885 another railway was opened to Stroud by the Midland Railway Company; and in 1884 a railway had been opened to Cirencester by the Midland and South Western Junction Railway Company. Those two lines have helped to complete the ruin of the canal. I hand in a Table marked "A." which shows the receipts and expenses from the year 1844. Your Grace will see that what was a considerable profit has now become an annual loss.

Sir *Richard Paget.*] Is it dealing with the whole of the navigation?

Mr. *Page.*] With the whole of the navigation Table B. simply shows that the tonnage has declined from 55,838 tons in 1836 to 25,057 tons in the year ending the 30th September last. The consequence of the decrease in the traffic has been that the last dividend on the ordinary shares was paid in the year 1853, and the last dividend on the preference shares was paid in the year 1864. No interest has ever been paid on the canal company's debenture debt created in the year 1879; and the principal of that debt has for many years been overdue. The result of the continued falling off of the traffic was, that in December last the company found themselves without the necessary funds to pay the weekly wages of their staff, and the only thing they could do, under the circumstances, was to close the eastern portion of the canal from Chalford into Lechlade. The eastern portion that was closed includes the summit level, which, as I have already said, is the most expensive part of the canal to work and maintain; but the eastern portion of the canal was also the part upon which the traffic was absolutely insignificant. Upon the four miles which still remain open, 77 per cent. of the traffic carried in the year ending the 31st December last was carried on those four western miles which still remain open. I may state that, with a view to minimise the public inconvenience as much as possible, traders have been permitted, when the water allows, to use the eastern section

tion at their own risk, without being called upon to pay any toll.

Chairman.] To use it with barges?

Mr. *Pope.*] To use it with barges when the water permitted without the payment of toll. The canal company considered that as they had withdrawn their staff from the canal, and had ceased to pump, they were not justified in charging tolls if the traders were able to use the closed section; but they continued to charge tolls and the traffic continued to be considerable upon the four miles which still remain open. I should also state to the Committee that negotiations are in progress at the present moment with certain allied navigations in the neighbourhood for the transfer of the Thames and Severn Canal to them. It is hoped that if worked as part of the system of the adjoining canals it can be worked more economically than it can be done as an independent canal; and it is also hoped that if the allied navigations could see their way to spend money upon the canal; and if the Conservators of the River Thames could put the upper Thames, from Lechlade to Oxford, which is at present, and has been for many years past, unnavigable, in a proper state for navigation, then there might be a revival, to some extent, of through trade from the Thames to the Severn, and from the Severn to the Thames.

Chairman.] Your proposal is to double the tolls which have been proposed by the Board of Trade; that is to say, to insert 6*d.* instead of 3*d.*

Mr. *Page.*] Yes.

Chairman.] Do you imagine that, with the increased toll, you would be able to compete with these railways which you describe as having been made so recently, and that are now in full work?

Mr. *Page.*] There would be no difficulty whatever in keeping open the western section; and I believe the allied navigations that I have referred to hope to be able to keep it all open as part of a through route.

Chairman.] That alliance has not taken place.

Mr. *Page.*] The transfer has not taken place, but at present is the subject of negociation.

Chairman.] Your contention is that higher tolls should apply to the whole line from Stroud to Lechlade.

Mr. *Page.*] No, only between Stroud, the commencement of the canal, and Brimscombe Port, that is all that the Amendment goes to.

Chairman.] And you think that with that double toll you will be able to compete with the Great Western Railway, the Midland Railway, and the various railways which now compete with you.

Mr. *Page.*] We should be able to go on as at present, and keep that portion of the canal open at all events; and if money ever does allow, we hope to reopen the eastern portion. It is not regarded as a permanent closing of the eastern portion by any means; it was only done because the exigencies of the moment made it absolutely necessary.

Chairman.] But then you say you propose to go on as you are, but you are in a very insolvent position, because you do not pay your debts.

Mr. *Page.*] We are insolvent; but thanks to the consideration shown by the creditors, the debenture holders have not enforced their rights, and I suppose if they did their rights would be probably against the surplus lands of the company. I suppose they could not interfere with the undertaking.

Chairman.] I understood you to say that you hoped to go on as you are at present, that is, without paying your debts.

Mr. *Page.*] Without paying our debenture interest. I say we have not paid any dividend for many years.

Chairman.] Do not you go further than that?

Mr. *Page.*] No.

Chairman.] There is a loss every year.

Mr. *Page.*] Yes, no debenture interest has ever been paid. That is a debt which we ought to pay, but we cannot. Every penny that the canal earned has been applied to maintenance.

Then, your Grace, I should state that the receipts from tolls for the year ending the 30th September last were 938*l.* £. 938 are the receipts. The effect of the Provisional Order is shown in the second column, that reduces the tolls to 632*l.*, that is practically a reduction of 30 per cent.

Lord *Clifford Chudleigh.*] What is your present power of charge?

Mr. *Page.*] Our present power of charge, as compared with the 3*d.* which the Board of Trade propose to give us, is 1*s.* 3*d.*; as a matter of fact, we are charging 6*d.*, and to Brimscombe Port we are charging 9*d.*

Chairman.] Your maximum is 1*s.* 3*d.*

Mr. *Page.*] Our present maximum is 1*s.* 3*d.* I submit this reduction proposed by the Board of Trade would not only put an end to the negotiations with the allied navigations which we all hope may result in the canal being maintained, but it would also undoubtedly prevent the reopening of the eastern portion of the canal, and would probably result in the closing of the western portion too.

Sir *William Houldsworth.*] Is the present actual rate 9*d.* to Brimscombe Port?

Mr. *Page.*] Nine pence is the actual rate from Stroud, and 6*d.* to any point below Brimscombe Port; so that if the traffic is landed 50 yards below Brimscombe Port, we get 6*d.* We also get 6*d.* if it is landed 50 yards above the commencement of the canal; it is a gross toll for any distance. If the Committee will allow me I ought to explain how that gross toll originated; for the year ending 30th September last the tonnage was 25,057; of that amount 15,476 tons, or about 60 per cent. was coal; the whole of that came off the Stroud Water Canal, and travelled less than four miles; that is to say, travelled on the open portion of the canal short of Chalford. Only 828 tons out of the whole travelled east of Chalford. One of the main objects of the canal was the conveyance of coal. The Preamble of the Act which authorised the canal, states that

that its object was to bring coal to the district; and I think there can be no doubt that the main inducement for the making of the Thames and Severn Canal was an arrangement which is embodied in the Act of 1783, by which the Thames and Severn Company were to have a minimum gross toll of 1*s.* 3*d.*, not a maximum but a minimum of 1*s.* 3*d.* out of the through toll which was then charged of 3*s.* 6*d.*; that was the Stroud Water toll before the Thames and Severn Canal was made; the Stroud Water toll to Stroud was 3*s.* 6*d.*, and the Thames and Severn Act provided that that 3*s.* 6*d.* toll should extend as far as Brimscombe Port. Out of it the Thames and Severn Company were to have a minimum of 1*s.* 3*d.*, and in the event of the 3*s.* 6*d.* through toll being reduced it was provided that the whole of the reduction should come out of the Stroud Water Company's proportion of 2*s.* 3*d.*, and that the Thames and Severn Company should continue to receive their minimum of 1*s.* 3*d.* As a matter of fact, however, the railway competition has so reduced the through toll of 3*s.* 6*d.* that it is now only 1s., and obviously out of 1*s.* the Thames and Severn Company could not receive 1*s.* 3*d.*; but they agree to be content with 6*d.*; and, therefore, at the present moment the Stroud Water Canal receive 6*d.* out of the 1*s.*, and the Thames and Severn Company receive the other 6*d.* instead of the minimum of 1*s.* 3*d.*, which the Act said they were to have. What the Provisional Order proposes is to reduce that minimum of 1*s.* 3*d.* to a maximum of 3*d.*, and that will inflict a loss in respect to coal alone of 226*l.*

Chairman.] You said something about the minimum of 1783 being 1*s.* 3*d.*, and you said your maximum was also 1*s.* 3*d.*

Mr. *Page.*] It was both a maximum and a minimum. I think I ought to mention that under the Provisional Order the company would be entitled to charge wharfage in the case of coal which is landed at the company's wharves. That is a new power; but, as a matter of fact, the wharfage so reduced would amount only to 20*l.* in the year, the great bulk of the coal traffic being landed on private wharves to which the wharfage charge does not apply.

Chairman.] Have you any rent from private wharves?

Mr. *Page.*] They are not our property. I should state that we have rents in addition to our tolls; they are shown in Table A., which includes the gross receipts.

Sir *William Houldsworth.*] The difference would be between 938*l.*, which is the tolls received, and the 1,535*l.*, which is your total receipts.

Mr. *Page.*] Yes.

Sir *William Houldsworth.*] The difference consisting of rents; anything else?

Mr. *Page.*] I think only rents.

Sir *William Houldsworth.*] Rents of wharves.

Mr. *Page.*] I think there is a wharf at Lechlade which is rented.

Sir *William Houldsworth.*] What other rents would there be?

Mr. *Page.*] From bits of land here and there. I think that explains the position, at least, I hope I have made myself clear; but, in conclusion, I will only say this, that no trader opposes the amendments, no complaint has ever been made, so far as I know, that the present 6*d.* charge is excessive, and yet the Board of Trade of their own motion, and without being requested to do so by any trader, propose to cut down what Parliament has said should be a minimum of 1*s.* 3*d.* to a maximum of 3*d.*

Sir *Richard Paget.*] What is the condition of your canal, the open section?

Mr. *Page.*] I believe it is in excellent order.

Sir *Richard Paget.*] And the other section?

Mr. *Page.*] In the other section, I suppose there is a lack of water owing to the pumping having ceased, which makes it impossible to navigate except in time of heavy rain.

Sir *Richard Paget.*] There is no substantial dilapidation.

Mr. *Page.*] I believe the structures are kept in excellent order. I have a list of the works recently carried out, which includes 24 pairs of new lock gates within the last few years; and also includes new boilers for the pumping engine, which cost several hundreds of pounds; every penny of the company's revenue is expended on maintenance. Mr. Pelham, when I had the honour of appearing before him on the Inquiry before the Board of Trade, thought fit to call the 6*d.* toll, which I am asking to be continued a monstrous toll, but I venture to submit to the Committee that the circumstances have to be considered, and that the circumstances that I have mentioned show that the toll, so far from being monstrous, is just and reasonable; it depends upon circumstances whether a toll is just and reasonable, and the circumstances in this case justify me in saying that it is just and reasonable, and that it ought to be maintained.

Sir *Richard Paget.*] This only applies to the canals between Brimscombe Port and Wallbridge?

Mr. *Page.*] Yes; those two and a-half miles.

Sir *Richard Paget.*] For the whole distance, or any part of it?

Mr. *Page.*] Yes. May I mention one thing, that is that the Board of Trade in the case of other canals have thought fit to propose 6*d.*, in the case of the Exeter Canal, for instance.

Chairman.] I do not think we can go into other canals.

Mr. *Page.*] All I venture to suggest is that the circumstances in each case ought to be considered.

Chairman.] Just so; that is why we think we ought not to go into the cases of other canals.

Sir *William Houldsworth.*] Are we to understand that you are satisfied with Scale 2?

Mr. *Page.*] In connection with Scale 2 I move a small amendment with regard to the tunnel, which to a small extent would alleviate the loss that is going to be put upon us.

Sir *William Houldsworth.*] You do not propose to ask any alteration of the rates in Scale 2?

Mr. *Page.*] No.

Chairman.]

Chairman.] I see in 1877, according to Paper A., you expended upon the canal 5,135*l.*, and the receipts were only 3,836*l.*

Mr. *Page.*] I am told that the expenditure that year was exceptional upon the dredging which was carried out?

Sir *William Houldsworth.*] The receipts increased in that year and the two following years.

Mr. *Page.*] The reason of that was that during those years the canal company tried to act as carriers, and they had boats, but the result was that though it increased the receipts it increased the expenditure more and they gave it up.

Chairman.] Were they then competing with the railways?

Mr. *Page.*] Yes; and they are still competing with the railways.

Chairman.] Were they competing with the railways from 1875 to 1884?

Mr. *Page.*] Undoubtedly to the best of their ability.

Sir *William Houldsworth.*] The expenditure was 5,000*l.* in 1877; some portion of that would be probably expended in buying boats; you say in those years when the receipts increased you began to be carriers?

Mr. *Page.*] Yes.

Chairman.] Are you going to put a witness in?

Mr. *Page.*] I propose to call the clerk of the company, merely to verify the figures I put before you.

Mr. *Richardson.*] Shall we have the engineer or the manager of the company?

Mr. *Page.*] The local manager is here in case you desire to ask him any question.

Chairman.] You had better prove your own case and select your own witnesses.

MR. JOHN MAHON, is called in; and having been sworn, is Examined, as follows:

Mr. *Page.*

7448. ARE you the Clerk of the Thames and Severn Canal Company?—I am.

Mr. *Page*—continued.

7449. And are you responsible for the preparation of the Tables A., B., and C.?—Yes.

[*The same are handed in and are as follows:*—]

(A.)

Thames and Severn Canal Navigation.

Statement of Receipts and Expenses for 50 Years, ending 30th September 1893.

Year ending.	Receipts.	Expenses.	Profit.	Loss.	Year ending.	Receipts.	Expenses.	Profit.	Loss.
	£.	£.	£.	£.		£.	£.	£.	£.
1844	8,663	3,867	4,796	–	1869	2,883	2,705	178	–
1845	(*a*) 8,425	3,484	4,941	–	1870	2,872	2,624	248	–
1846	6,921	3,146	3,775	–	1871	2,543	2,616	–	73
1847	6,447	3,345	3,102	–	1872	2,585	2,407	178	–
1848	6,134	3,468	2,666	–	1873	2,196	2,481	–	285
1849	6,495	2,864	3,631	–	1874	2,006	2,491	–	485
1850	6,068	3,536	2,532	–	1875	(*b*) 2,239	2,637	–	398
1851	5,682	3,229	2,453	–	1876	3,503	3,734	–	231
1852	5,204	2,868	2,336	–	1877	3,836	5,135	–	1,299
1853	4,177	2,489	1,688	–	1878	4,411	4,581	–	170
1854	3,470	2,396	1,074	–	1879	3,979	4,298	–	319
1855	3,400	2,756	644	–	1880	3,523	3,963	–	440
1856	3,431	2,409	1,022	–	1881	3,152	3,546	–	394
1857	3,364	2,351	1,013	–	1882	3,073	2,967	106	–
1858	3,427	2,386	1,041	–	1883	3,934	3,689	245	–
1859	3,335	2,419	916	–	1884	(*d*) 2,655	3,636	–	981
1860	3,717	2,358	1,359	–	1885	(*c*) 2,028	2,257	–	229
1861	3,531	2,378	1,153	–	1886	(*b*) 1,852	1,283	569	–
1862	3,661	2,504	1,157	–	1887	1,983	1,948	35	–
1863	3,404	2,320	1,084	–	1888	1,972	2,401	–	429
1864	3,161	2,507	654	–	1889	1,727	1,885	–	158
1865	2,670	2,493	177	–	1890	1,686	1,741	–	55
1866	2,847	2,359	488	–	1891	1,458	1,718	–	260
1867	2,721	2,291	430	–	1892	1,491	1,495	–	4
1868	2,463	2,474	–	11	1893	1,535	1,681	–	146

(*a*) Great Western Railway from Kemble to Gloucester opened.

(*b*) Trading account began in April 1875, ended June 1886.

(*c*) Midland Company at Stroud, December 1885.

(*d*) Midland and South Western Junction Company at Cirencester, November 1884.

(B.)

THAMES AND SEVERN CANAL NAVIGATION.

GROSS TONNAGE carried over Canal from 1836.

YEAR.	Tons.	YEAR.	Tons.
1836	63,211	1865	54,314
1837	63,599	1866	57,944
1838	60,894	1867	53,993
1839	71,503	1868	51,407
1840	82,266	1869	48,262
1841	89,271	1870	55,435
1842	70,845	1871	47,533
1843	58,020	1872	50,967
1844	79,406	1873	49,059
1845	80,529	1874	41,234
1846	71,639	1875	38,921
1847	65,590	1876	47,307
1848	58,600	1877	48,199
1849	64,380	1878	49,829
1850	64,914	1879	47,447
1851	66,986	1880	49,330
1852	66,140	1881	43,811
1853	56,228	1882	41,993
1854	60,837	1883	43,852
1855	45,923	1884	46,311
1856	60,020	1885	39,529
1857	60,332	1886	35,481
1858	58,409	1887	30,870
1859	57,028	1888	—
1860	56,454	1889	34,542
1861	60,953	1890	—
1862	61,955	1891	—
1863	55,838	1892	—
1864	58,525	1893	25,057

Cheltenham and G. W. line made.

(C.)

Thames and Severn Canal Navigation.

Year 1893.

Article.	Tolls actually Received.		Provisional Order, 1894.	Amendment Proposed by Canal Company.	Wharfage.			
					Company's Wharves.			Private Wharves.
	Weight.	Amount.			Rate per Ton.	Weight.	Amount.	Weight.
		£. s. d.	£. s. d.	£. s. d.	d.		£. s. d.	
Ashes	20	– 8 4	– 6 10	– 11 10	1½	–	– –	20
Bricks	416	8 11 2	7 – 4	11 12 10	1½	416	2 12 –	—
Coal	15,476	506 17 9	240 7 8	433 11 –	1½	3,275	20 9 5	12,201
Clay	8	– 6 –	– 5 6	– 5 6	1½	–	– –	8
Coke	253	6 6 4	3 3 2	6 6 4	1½	39	– 4 10	214
Flour	6	– 2 1	– 16 11	1 13 –	3	–	– –	6
Grain	1,061	44 15 6	48 13 3	60 4 2	3	132	1 13 –	929
Gravel	460	7 18 7	4 12 9	6 7 5	1½	157	– 19 7	303
Manure	54	4 4 –	3 – 8	3 13 –	1½	41	– 5 2	13
Salt	13	– 4 4	– 4 6	– 7 9	1½	–	– –	13
Roadstone	2,057	138 1 4	104 – 7	128 1 4	1½	918	5 13 11	1,139
Stone	2,987	66 16 9	64 5 5	86 14 2	1½	522	3 6 1	2,465
Tar	78	– 19 6	– 19 6	1 19 –	1½	–	– –	78
Timber	1,932	105 – 3	106 18 3	123 2 3	3	230	2 17 6	1,702
Rags	70	– 17 6	– 14 7	– 14 7	3	70	– 17 6	—
Beer	26	1 10 4	1 17 –	1 17 –	3	–	– –	26
Sawdust	89	6 6 4	5 11 8	5 11 8	3	89	1 2 3	—
Sundries	51	– 14 9	– 9 8	– 9 8	–	–	– –	51
Pleasure Boats, &c.	–	38 16 –	38 16 –	38 16 –	–	–	—	—
	25,057	938 17 6	632 4 3	911 18 6	–	5,889	40 1 3	1,968
Open Section		520 – –	330 – –	(a)610 – –				
Closed Section		418 – –	302 – –	302 – –				
		£. 938 – –	632 – –	912 – –				

(a) If the Eastern Section remains closed this will be reduced to 503*l*.

Mr. *Page*—continued.

7450. Are those tables correct?—They are.

7451. You have calculated the loss as shown on Table C., which the proposals of the Board of Trade would inflict upon the company?—I have done so.

7452. Is that correct?—That is correct.

Mr. *Pelham.*] Will you ask him what the relations of the Canal Company are to the Great Western Company?

Chairman.

7453. What relations exist between the Great Western Company and the Canal Company?—The Great Western Company are shareholders.

7454. To what extent?—To the extent of 7-10ths or 8-10ths of the entire share capital.

7455. Nearly the whole?—Nearly the whole.

7456. Practically the canal belongs to the Great Western Company?—Only as shareholders; they have no other interest than that of shareholders.

Mr. *Page.*] The circumstances under which the shares were acquired are stated in correspondence which was presented to both Houses of Parliament published by the Board of Trade in the year 1886–87.

Mr. *Richardson.*

7457. Do the Great Western Company control the management in any way?—They do not interfere in the management in any way; there is a committee of management.

7458. Composed of whom?—Mr. Holland and others.

7459. Do any of them represent the railway?—They represent the Great Western Company; the board of management represents the Great Western practically.

Chairman.

7460. In point of fact the Great Western Company manage the canal?—Put in that way it is so, but they do not interfere in the management.

7461. The board of management is made up of directors in the Great Western Company?—Of nominees of the Great Western Company.

7462. And therefore the Great Western Company manage the canal?—Yes; you may put it in that way.

7463. Is there any other way to put it?—No.

Mr. *Richardson.*

7464. What is the depth of water in the wide part?—Three feet six inches to 4 feet.

7465. Is it wholly dredged?—Yes.

7466. What is the shape of the locks in the canal, are they like the locks which exist on the Severn and Worcester?—I could not say.

7467. There has been no complaint as to the locks being so constructed that they do not allow vessels of ordinary shape to pass through?—I never heard of any complaint.

Mr. *Spicer.*

7468. When did the Great Western Company acquire their shares?—About the year 1883.

7469. And the receipts have gone down very steadily ever since?—And they went down previously also.

Sir *Richard Paget.*

7470. Is every effort made to obtain business on the canal?—We make the ordinary efforts of canal companies, it is open to everybody who wishes to come along it; we do all we can to facilitate tne passage of traffic.

Mr. *Richardson.*

7471. You do not make any extra effort?—We do not make extra efforts, I am afraid the money would be thrown away. Every effort has been made on the part of the board of management to keep the canal open; they have been very anxious to do so, and but for the unfortunate circumstances of our financial position last year we should only have been too glad to keep it open.

Mr. *Pelham.*] This gentleman is an official of the Great Western Company at Paddington, and the canal company have no separate auditors.

Chairman.

7472. You are clerk to the company?—I am clerk to the canal company.

7473. And you are also an official of the Great Western Company?—Yes.

7474. Where are your offices?—At Paddington Station.

[The Witness is directed to w thdraw.

Chairman.] Have you any other witnesses?

Mr. *Page.*] No.

Chairman.] We will now hear what Mr. Pelham has to say.

Mr. *Pelham.*] It may seem very ungracious to oppose such an unfortunate canal, and I will just content myself with stating what I believe to be the facts of the case, leaving it entirely to the Committee to deal with it as may seem to them best. No Schedule was deposited by this company in accordance with the requirements of the Act of 1888. It was a very long time before I could find out, as representing the Board of Trade, where the company was. At last I received a letter dated Paddington Station, and I wrote there to ask them what they proposed. They sent in no Schedule and so the company had to be dealt with by the Board of Trade as a defaulting company who had not deposited a Schedule. I think it is quite right what has been said, that there is no opposition from any trader; though a good deal was said about the company by the adjoining Stroudwater Navigation I think the Committee thoroughly understand the position of things as regards the traffic to Stroud. Traffic comes up the Severn from the Sharpness Canal and goes for eight miles over the Stroudwater Canal, which is a broad canal leading up to the town of Stroud. A good deal of traffic stops there on the Stroudwater Canal, but a good deal goes to a wharf which is on the Thames and Severn Canal, and it goes just for 100 yards along the canal. At the present moment the Stroudwater Navigation gets 6*d.* for eight miles, and the Thames and Severn Canal gets 6*d.* for 100 yards. I think that must have been the reason why I was rather astonished at the toll when it was brought to my attention. This broad part of the canal is a continuation, as it were, of the Stroudwater Canal. Without

going into the merits of the Stroudwater Canal, I may say that practically the Board of Trade have given this broad part of the canal the same toll as is given on the Stroudwater Canal, only the broad part of this canal is treated a little more liberally; 1·25*d.* a mile on the other is made 3*d.* for a mile and a-quarter on this, or for any part of it. Therefore they will still get 3*d.* for the 100 yards. Of course the Board of Trade were bound to consider the question what was a reasonable toll. I presume the Stroud water Canal in the future will not be bound by the 6*d.*; they may charge more for this through traffic, and therefore the effect of the two tolls together might be that it might be considerably increased. The Board of Trade did their best to settle really what was just and reasonable. No doubt it is a very unfortunate canal, but though there are negotiations going on for the sale of the canal, the question is, when it is in competent hands, what would really be a reasonable toll on that part.

Chairman (to Mr. *Page.*)] Do you wish to say anything further?

Mr. *Page.*] No.

The Committee deliberate.

Chairman.] We reject the amendment proposed by the Thames and Severn Company to insert 6*d.* instead of 3*d.*?

Mr. *Page.*] The next amendment is asking for double mileage for the tunnel I mentioned, which is 2¼ miles long.

Chairman.] You ask for more than double; you ask for 6*d.*?

Mr. *Page.*] Yes; I ask for some consideration on account of the tunnel.

Chairman.] We must hear something about that.

Mr. *Page.*] I will call Mr. Mahon.

Mr. JOHN MAHON is re-called and further Examined, as follows:

Mr. *Page.*

7475. WHAT is the length of the Sapperton Tunnel?—Three thousand eight hundred yards.

7476. Have you calculated what the effect would be upon the Sapperton Tunnel if the amendment asked for is granted? The Board of Trade give us nothing extra for the tunnel; I ask six miles. I ask you what the reduction of loss will be upon the tunnel?—It will reduce the loss to the extent of 23*l.* per annum. The loss would be 116*l.* upon the closed portion of the canal, but if we had the increased mileage for the Sapperton Tunnel the 116*l.* will be reduced to 93*l.*

Chairman.

7477. Is the Sapperton Tunnel part of the closed canal?—It is part of the closed section of the canal; we hope to re-open the closed section some time, and we want to get the best terms for the closed section.

Chairman—continued.

Mr. *Page.*] Table C. will show you that the loss upon the closed section, if re-opened, would be 116*l.*, the difference between 102*l.* and 418*l.* We shall be saved 23*l.* in that loss if the Committee grant the amendment.

[The Witness is directed to withdraw.

Mr. *Pelham.*] I have nothing to say about that. There is no objection upon behalf of the Board of Trade.

Chairman.] If nobody objects we will give you that amendment. That finishes this part of the Bill.

Mr. *Pelham.*] I understand your Grace has passed the Bill?

Chairman.] Yes.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 8) BILL (RIVER CAM, &c.).

RIVER NENE (THIRD) NAVIGATION DIVISION.

On Friday, 13th July, the following Petitions against the Order are read:

The Petition of the CORPORATION OF PETERBOROUGH (against Alterations).

Mr. *Percival* appears as Counsel in support of the Petition.

Mr. *F. G. Mellows* appears as Agent.

The Petition of the CORPORATION OF WISBECH.

Mr. *Pope*, Q.C., and Mr. *A. B. Frere* appear as Counsel in support of the Petition.

Messrs. *Rees and Frere* appear as Agents.

The

19 *July* 1894.

The Petition of the NENE NAVIGATION COMMISSIONERS (THIRD DIVISION).

Mr. *Claude Baggallay* appears as Counsel in support of the Petition.

Messrs. *Rees and Frere* appear as Agents.

Mr. *Claude Baggallay.*] THIS refers to page 11 of the Bill. I may state at once that the only parties here to discuss the matter are the Nene Navigation Commissioners of the Third Division, and on behalf of them I appear. My learned friends Mr. Pope and Mr. Frere appear on behalf of the Wisbech Corporation, and Mr. Percival appears for the Peterborough Corporation, and Mr. Pelham represents the Board of Trade. The Mansion House Association did propose some amendments, but I am informed that they are not going to press them, and will not take any part in this discussion. I may mention that the quantity of funds, the pounds, shillings, and pence which will have to be discussed, are very small. The whole matter is a small matter. It does not amount to the extent of 1,000*l.* per annum, the total income of the navigation being only somewhere about 700*l.* You have before you a plan showing the Nene Navigation Commissioners' (Third Division) limits of jurisdiction. The plan shows, near the middle of it, the City of Peterborough. Towards the parish and town of Wisbech the river, which is under the jurisdiction of the Nene Navigation Commissioners of the Third Division, is shown in red upon the plan. It stops at a little short of Wisbech. The distance from Peterborough to Bevis Hall is 16 miles 5 furlongs, but the water over which the Commissioners have jurisdiction includes the arches of the river between Peterborough and Bevis Hall, it includes, therefore, the branch between Peterborough and Standground Sluice; that will be the important portion of the question in this case. There is another place called Morton Leam, shown by two red lines, that is also part of the navigation which is under the jurisdiction of these Commissioners; but as a matter of fact that Leam is not a navigation. Therefore it is shown in a light colour, and is not material at the present time. All the trade is between Peterborough and Wisbech passing by the dark red line, and is between the Middle and South Level upon the southern side of the plan passing to Peterborough over the portion between Standground Sluice and Peterborough. The distance from Standground Sluice to Peterborough is a mile and a quarter, of which about half a mile is common navigation with the River Nene; the distance from Bevis Hall to Wisbech is two miles and three furlongs. I will call your Lordship's attention to the railway communications. Your Grace sees between Wisbech and Peterborough there is a railway running a little to the north of Smith Leam; from the south, that is from Ely and March, there are railways running direct to Peterborough, the railway of the Great Eastern Company from March towards the north, and the joint line of the Great Eastern and Great Northern Companies, but at Peterborough there are two or three other railways having no communication with the Middle or South Level, those railways are the Midland, the Great Northern, and the London and North Western. and it is on account of the position of those railways at Peterborough very largely that this little piece between Peterborough and Standground Sluice becomes important, because the bulk of the trade which passes over that piece of the navigation is passing from the Middle and South Level going to the railway companies for transmission to the north, and is not a trade affecting Peterborough.

I will give a very short account of the history of this navigation. I need not go back further than 1852, when under the Nene Valley Drainage and Navigation Improvement Act of 1852 certain Commissioners were appointed who were to be at the same time Drainage and Navigation Commissioners. Their jurisdiction extended from Northampton, which your Grace will find at the left-hand side of the plan, to a point a little below Wisbech, at the right-hand side of the plan; but their jurisdiction was by the Act divided into parts; for certain purposes it was divided into what were known as the Upper and Lower Division, the division being at Bevis Hall, which is at the head of the port of Wisbech, the port of Wisbech extending above Wisbech at that point. They again had their jurisdiction divided into three drainage districts; two of those drainage districts were between Northampton and Peterborough, and having said that we may dismiss them for the present purposes. The third drainage district extended from Peterborough to Wisbech. That you will notice goes further than Bevis Hall, and goes to the limits of the jurisdiction of Wisbech. Then there were three navigation divisions as distinguished from the drainage districts. Numbers 1 and 2 were the same as the drainage districts, that is to say, above Peterborough. The third one was not quite the same as the third drainage district, because it stopped at Bevis Hall, so that the navigation division was really co-terminus with the present Nene Navigation Commissioners' third division jurisdiction.

I need not go into the history of what took place between 1852 and 1862, which is the next point I must direct attention to, further than to say this, that those Commissioners appointed in 1852 commenced a great many works and spent a great deal of money, and in 1862 they were hopelessly insolvent, so that in 1862, by the Nene Valley Drainage Act of that year, something had to be done with regard to the division between Peterborough and Bevis Hall, and Parliament then created a new body, which is the present body, the Nene Navigation Commissioners of the Third Division. They were incorporated into Section 57 of that Act, and they are a body which I may just mention is not a company, not a paid body; they receive no payment whatever, they are purely trustees. To them was entrusted the duty of maintaining, superintending, and conserving this portion of the river, the power being conferred by Sections 55 and 61 of the Act of 1862. To those Com-

missioners were given certain powers of levying toll; the tolls which were given to them were the same tolls which had been originally given to the then defunct Commissioners under the Act of 1852, with certain modifications which had been introduced by the Amending Act of 1854. I do not think I need go further into those tolls at the present moment than to say that the toll given was the maximum toll of 6*d.*, whatever the distance was; it was an all-over toll for all commodities, no matter what the distance.

Chairman.] As between Peterborough and Wisbech?

Mr. *Claude Baggallay.*] As between Peterborough and Wisbech, or any part of the branches or navigation.

Mr. *Pope.*] Peterborough and Bevis Hall. We are Harbour Commissioners, and our jurisdiction comes up to Bevis Hall on the other side.

Mr. *Claude Baggallay.*] Between Peterborough and Bevis Hall, or Peterborough and Standground Sluice, there will not be any question as to the power of charging in respect of that piece, it is clear on the face of the Act, and I will not trouble you with the details of the sections unless it is challenged. It was an all-over toll of 6*d.*, and that has been the charge which has been made down to the present time, and that is the charge which we ask power to make.

Sir *Richard Paget.*] Are you charging your maximum?

Mr. *Claude Baggallay.*] Yes, and I will explain in a minute why there is the power to reduce, but I am going to show in a minute or two the reason why we cannot at present reduce. By the Act of 1862, Section 62, provision was made for the application of the tolls by the Navigation Commissioners, and while I am reading this I shall have to interpolate a little explanation. The section runs as follows: "The Navigation Commissionerss shall apply the tolls, duties, and sums received by them (after payment of the expenses of collection) as follows: One half-part thereof shall be paid annually to the treasurer of the Corporation of the Borough of Wisbech, and be applied by such Corporation for the purposes to which the tonnage due of one-halfpenny hereinbefore directed to be retained by the said Corporation is made applicable, and the remaining half-part thereof shall be retained by the said Navigation Commissioners, and shall, after payment of general expenses of management, be applied in and towards the maintenance and conservancy of the navigation of the river in the Third Navigation Division and the works thereof, and connected with the same, and, if there be any surplus, the same shall from time to time be paid to the treasurer to the Corporation of Wisbech, who may apply the same in like manner as is hereinbefore directed with respect to the proportion of the said navigation tolls receivable by them as aforesaid, and if not required for such purposes, in liquidation of any principal monies raised by that corporation for the payment of the additional contribution payable by them under the provisions of this Act." I must pause to explain to your Grace why a certain proportion of the income of this navigation goes to the Corporation of Wisbech. I told your Grace just now that in 1862 the old commissioners were insolvent. Parliament having recited the fact at the commencement of the Act of 1862, then went on to provide that certain bodies mentioned in the first Schedule to the Act of 1862 should contribute a certain sum primarily for paying off the debt which had been incurred by the then deceased Commissioners, and the Corporation of Wisbech was required to contribute the sum of 8,000*l.* There were certain other sums, one being a voluntary contribution by the Duke of Bedford with which I need not trouble you, but the important one is the contribution of 8,000*l.* by the Corporation of Wisbech. That was made compulsory by Section 6 of the Act of 1862, which is "For providing the additional contribution to the funds of the third district, the contributors (not including the Duke of Bedford) shall respectively contribute such sums as are specified in the first Schedule to this Act, and the sum or sums of money so assessed upon each of the contributors shall be payable, and paid to the incorporated Commissioners by every such contributor accordingly." And the provision was made in a subsequent section as to how the money was to be raised by the Corporation of Wisbech, what sort of security they should give; and the securities which they were to give were to include the tolls payable to the Commissioners, that is to say, one half of the income of the Commissioners after paying the cost of collection. That was the security which they could give, together with certain other securities which they had power to give for this money which they raised. Under the Act of 1852, Section 111, there is a provision that "It shall be lawful for the Incorporated Commissioners from time to time by and with the consent of the mortgagee of the tolls to reduce in any one of the three or more navigation divisions the several tolls granted by this Act upon the said navigation or any part thereof at such time as the Incorporated Commsisioners shall think proper, and also to raise the tolls again as occasion requires, so that no further tolls be granted than hereinbefore appointed to be granted." And by the Act of 1854, which was before the date of this insolvency, there was a section, Section 74, which gave an additional power to the Commissioners of 1852, and no doubt that power passed also to the Commissioners of 1862 with regard to the reduction of tolls. "In addition to the power for the reduction of tolls given to the Incorporated Commissioners by the recited Act, they shall have and from time to time may exercise in respect of goods and vessels respectively passing and conveyed upon the several navigations respectively the following powers." Then it gave them certain powers of reducing; but I take it that did not confer upon the Commissioners any power of reducing them where they affect the security for the charge which had been given under the Act of 1852 upon those tolls without the consent of the mortgagee. At the present time there is outstanding altogether, taking the capitalised value of what is owing to the Corporation, and taking into consideration the amount which they have had to pay for interest in respect of the loans which we have not got paid back from the Commissioners, but

after

after giving credit for what has been received by them from the Commissioners, the sum of 9,159*l.* 12*s.* 9*d.* The Corporation of Wisbech are creditors of the Commissioners to that extent.

Sir *Richard Paget.*

7477*. Have they received their half of the tolls?—They have received their half of the tolls; but after giving credit for that there is still owing to them this sum.

Mr. *Pope.*] Of the total sum, principal and interest, owing at that date there has only been paid back sufficient to repay the total debt of 9,100*l.* The interest has never been paid.

Mr. *Claude Baggallay.*] I may mention this, you Grace, that the Corporation of Wisbech, though they have received always half of the gross tolls after payment of the cost of collection before the application to maintenance and so on, have hardly ever put in their claim (perhaps they have done once or twice) for the surplus which the clause relating to the application of the tolls entitled them to. The sums they could have claimed would have been very small, but to have claimed them would have been to leave the Commissioners without a penny of margin.

Now I point out to your Grace that the whole income which the Navigation Commissioners have here to rely upon is the income derived from these tolls. There are no locks and no wharves belonging to the Commissioners; they have no power of making any charge for shipping or unshipping; and there are no terminal charges; so that they are entirely dependent upon the toll. From 1862, when they were first incorporated, till 1873, the income of the Commissioners pretty steadily decreased. I have not the figures as to what took place between 1873 to 1883, but from 1883 up to the present time, that is the last 16 years, the income has been steadily increasing, and the income now is almost as large as it was in 1862; it is not quite so large, but I will show you by Tables that it has almost approached that point, and their gross income amounts to about 711*l.* at the present time. The increase has been at Peterborough; the decrease has been going on chiefly at Wisbech, and I think I can account for it in this way. At Wisbech there used to be a considerable import of coal which used to be sent up by the navigation, but now owing to increased railway communication with Peterborough and the importance of the navigation above Peterborough coal is very little or hardly at all brought by way of Wisbech. There were also at Wisbech certain oil works till 1874, when they stopped; there were certain railway works which were going on in the neighbourhood of Peterborough and in the Midlands, for which material was brought up to Wisbech, and there was a considerable amount of gravel being carried up; but that income has been lost. The increase at Peterborough we attribute (and I think the figures will show it) to the considerable increase of the trade from the Middle Level and the South Level from Standground Sluice to Peterborough to the railway companies for transmission beyond Peterborough. There are three points for collection of tolls on the navigation; one is at Wisbech; the second is at a place called Dog-in-a-doublet Sluice, two-thirds of the way up from Wisbech to Peterborough. All tolls are payable in respect of goods at the first place of collection they pass; so that we are able to get a pretty accurate idea of what the trade is upon these different portions of the navigation. The first Table which I must hand in to your Grace is Table No. 1. Table No. 1 shows the traffic to Wisbech, Dog-in-a-doublet, and Peterborough; and in each case we divide the traffic which may be called short-distance traffic from the traffic which may be called long-distance traffic, all traffic being taken to be short-distance traffic which travelled under 10 miles. The short-distance traffic your Grace will see collected at Wisbech amounts to a very small amount altogether; in fact, with the exception of the item of earth and clay, which is mentioned in the fourth column of this Table, amounting to 37*l.* 18*s.* 7½*d.*, there was in the year 1893, that is, the year ending the 30th of September 1893, only about somewhere under 12*l.* altogether collected in respect of short-distance traffic in Wisbech. That earth and clay was an exceptional quantity, being carried for a particular purpose of the Corporation of Wisbech, which has been spoken of, and is not an item which is likely to recur. Then the long-distance traffic between Wisbech and Peterborough, running 15½ miles, amounted to 56*l.* 19*s.* I will mention at once that as regards that traffic there is hardly anything as between ourselves and the Board of Trade proposal, because the Board of Trade proposal, working it out on the mileage principle for that 16½ miles, comes to a fraction of a penny more than 6*d.*, so that there is nothing between us on that point. Now we come to the trade which is collected at Dog-in-the-doublet. The short-distance trade there amounts to very little again; it is about 22*l.* altogether; with the exception of 8*l.* for gravel it is entirely agricultural produce. Then the long-distance trade which goes over the 10 miles at Dog-in-the doublet amounts to about 15*l.* or 16*l.* altogether; and that with the exception of 6*l.* 3*s.* for gravel is all agricultural produce in respect of those distances. The effect of the Board of Trade Schedule upon the income would not be a very substantial amount. Then we come to Peterborough, and the amount there is divided into short-distance traffic and long-distance traffic. The short-distance traffic you see amounts to a very small amount, only 5*l.* 7*s.* 11*d.*; and the long-distance traffic, which only amounts to 27*l.*, would not be affected, so far as we are concerned, by the Schedule proposed by the Board of Trade, because the mileage would again give a fraction over 6*d.*

Sir *Richard Paget.*] It is sub-divided at Peterborough.

Mr. *Claude Baggallay.*] Yes; you notice on the plan that there are two navigations which fork at a place called Cutsmouth, uniting half a mile from Peterborough. Now the traffic which comes by the Smith Leam we do not think will be affected in any way. But now we come to what comes by Standground Sluice. That is material, because if your Grace looks you will see that 533*l.* 7*s.* 8*d.* of the total income of 711*l.* is derived from the traffic which comes over that mile and a-quarter. That

mile and a-quarter provides 533*l.* out of 711*l.* gross income. Now, as regards that traffic, that is the only main bone of contention here. The effect of the Board of Trade proposal would be very serious if it was confirmed. The Board of Trade proposal is to give a six miles short-distance, with a halfpenny a mile toll; the consequence being that 3*d.* would then be charged in respect of that traffic which pays 533*l.*, instead of 6*d.*, reducing, as your Grace will see by the last column but one, and the reduction will be a sum of 266*l.* 13*s.* 9*d.* in respect of that particular traffic; so that it would reduce on that traffic alone the income from 711*l.* to somewhere about 450*l.*

Now, if you look at the little summary at the bottom of the page, you will see exactly what is the loss. The loss in respect of the traffic collected at Wisbech would be about 23*l.*, leaving out the shillings and pence. The loss in respect of traffic collected at Dog-in-a-Doublet would be about 15*l.* The loss in connection with the whole of the collection at Peterborough would be about 269*l.*; that would be the amount of the loss, making a total loss under the Order of a little over 300*l.* on the figures of 1893, and we have taken the highest year we have had for many years; we have given the benefit of the highest income we have had for many years, and that would be the result. Now, it will have appeared from this paper that the bulk of the trade goes through the navigation from end to end, that is to say, in at one end and out at the other. I wish to call the attention of the Committee to this, that, with the exception of the traffic that goes by Standground and Peterborough, the total amount of short-distance traffic is only about 39*l.* 13*s.* (that is, not allowing for that particular earth and clay item which came into that collection); so the short-distance traffic affected is very small in amount. Now, I want to deal a little with the last traffic that comes by the Standground route. We have had the question gone into carefully as to why that particular figure happens to be large as regards deals, battens, and so on in the year 1893; it was rather exceptionally large.

Sir *Richard Paget.*] Does the whole of the Standground traffic which you have mentioned pass over Smith's Leam?

Mr. *Claude Baggallay.*] No; that comes off at Standground, and goes on to Peterborough.

Sir *Richard Paget.*] How does it get to Standground?

Mr. *Claude Baggallay.*] It comes by King's Dyke, from the Middle Level and the Lower Level.

Sir *Richard Houldsworth.*] It is all the traffic finding its way to the railways.

Mr. *Claude Baggallay.*] Yes. Before going into the question of how we know that it goes to the railways, I am going to refer to this item of timber, and so on. In the year 1893, owing to the great drought, Smith's Leam Navigation was very difficult of navigation for some time, and the consequence was that a great deal of trade in deals and timber which went from Wisbech to Peterborough has had to go round by Outwell and come back again to Standground Sluice to get to Peterborough; it went along the old River Nene; that was an exceptional matter.

Sir *Richard Houldsworth.*] It would naturally have gone along the red line.

Mr. *Claude Baggallay.*] Yes. There is a Table marked 2, showing two periods of 10 years which shows that 10-11ths of the timber trade had, over a period of 20 years, gone *viâ* Smith's Leam, and the exception was in that particular year 1893. On the second half of the page you will see opposite the year 1893 that the tolls paid at Wisbech were 50*l.* 18*s.*, which was a great deal lower than what they were in the preceding year, while the tolls paid at Peterborough were 28*l.*, which were considerably higher than the preceding year, which was 12*l.*; but taking the average of the whole together, it amounts to 10-11ths of the trade going by Smith's Leam, except that particular 1893. In order to ascertain whether this trade coming from the Southern and Middle Levels was going to Peterborough, or was going further, we got an arrangement from the railway companies a year or two ago. When this Act of 1888 was before Parliament there was a proposal to insert a provision requiring railway companies to make certain returns to navigations showing how much of the trade they carried, and by arrangement the railway companies at Peterborough undertook to furnish monthly returns to the new navigation, third division. We have those returns, which have been carefully made up, and out of a total quantity of 19,266 tons agricultural traffic going to Peterborough *viâ* Stanground, with addition of 1,240 tons *viâ* Smith's Leam, amounting in all to 20,506 tons agricultural traffic arriving at Peterborough, we find that no less than 19,247 tons have been carried away by the three railway companies. That shows that only about 1,200 tons have stopped in Peterborough out of the total of 20,500 tons. The Midland Company carried 10,494 tons, the Great Northern carried 1,900 tons, and the London and North Western carried 6,850 tons. Then the next point I would call the attention of the Committee to is this, that until the time of this inquiry there have been no complaints with regard to our rates received by the Nene Navigation Commissioners at all. Now I come to our present financial position to show how it is we cannot bear the proposal of the Board of Trade.

Chairman.] The Board of Trade proposal being what?

Mr. *Claude Baggallay.*] A halfpenny per ton per mile, with a short distance toll of 3*d.*

Mr. *Pope.*] Practically, that would make Standground to Peterborough 3*d.* instead of 6*d.*

Mr. *Claude Baggallay.*] Yes, that is the main point, it would reduce the present toll between Standground and Peterborough from 6*d.* to 3*d.* As regards the other tolls, though it affects them, it affects them in a minor degree; the principal point is that it reduces the charge of 6*d.* from Standground to Peterborough by one half.

Earl of *Lauderdale.*] The articles comprised in that group are in Class C., therefore your amendment is practically confined to Class C. only.

Mr.

Mr. *Claude Baggallay.*] Yes. There is a Table marked 3; on the first page of that there is a statement of the total receipts and payments for the 31 years that the Commissioners have been in existence, showing that, at the present moment, or rather to the 30th September 1893, there was a balance in the hands of the Commissioners of 368*l.* 6*s.* 5*d.*, which was there because the Corporation of Wisbech had not demanded it to be handed over to them as they might have done. On the next page, on the middle of the sheet, you will find the figures I was referring to just now, showing you that there was a decrease in the income of the navigation from 1863, or very soon after 1863 for some time, reaching its lowest point somewhere between 1871 and 1880 or 1882, since which time there has been a steady increase. The total amount of our receipts now, as shown by the 4th column, is 712*l.* compared with 748*l.*, which was the income of the navigation when we first took it over.

Sir *Richard Houldsworth.*] You seem, on three or four occasions, to have paid something to the Wisbech Commissioners.

Mr. *Claude Baggallay.*] Yes. I am coming to that in a moment. When we had a considerable sum in hand, we paid it over. The cost of collection (as the Clause relating to the application of the tolls required) is the first deduction which has to be made from the gross tolls; that is shown in the 5th column, and the 6th, 7th, 8th, and 9th show the cost of management, and the cost of maintaining the navigation and the Parliamentary and law expenses.

Sir *Richard Paget.*] The cost of collection seems to vary very much.

Mr. *Claude Baggallay.*] We have three toll stations.

Sir *Richard Paget.*] It varies from 10*l.* to 91*l.*

Mr. *Claude Baggallay.*] From 1877 to 1881 it was leased.

Sir *William Houldsworth.*] What is roding and cotting?

Mr. *Claude Baggallay.*] That is cutting the weeds, and so forth.

Mr. *Spicer.*] How is it that your Parliamentary and law expenses are so high in proportion to your turnover?

Mr. *Claude Baggallay.*] They vary very much; in some years there are none at all. The returns which are made are the returns at the time when the moneys are paid.

Mr. *Spicer.*] I am taking the total.

Mr. *Claude Baggallay.*] I do not know what was occurring between 1871 and 1876. You will notice that since 1880 they have been very small; one sum of 29*l.* and one sum of 56*l.* I am afraid next year that item will be a big figure.

Mr. *Pope.*] There was a considerable contest on the Sutton Bridge Docks which affected the whole of these navigations, and there was a long Parliamentary fight about it.

Mr. *Claude Baggallay.*] I am told that the first two items of 213*l.* and 392*l.* were, in consequence of a serious litigation that there was between the Duke of Bedford and the Commissioners as to certain powers of doing certain works which resulted in an injunction being obtained by the Duke of Bedford and the Nene Commissioners having to pay the costs, that would account for those items. The half-share payable to the Wisbeach Corporation which is shown by the third column from the end of the page has been paid regularly, with the exception of three years from 1876 to 1878 inclusive, when it was not paid, but it was subsequently made up in the other years. You will see in the next year, the year 1879, a large portion of the moneys which ought to have been paid in those three years was paid. Then in the last column but one you will find on five occasions the Commissioners have paid over part of their surplus to the Wisbeach Corporation. They have done so when they have had money in hand, and been able to do so. But as you will see from 1870 to 1876 there was not a single payment made, nor was there one made before 1870, and it is only in the last few years that there have been some sums paid.

Lord *Clifford of Chudleigh.*] Is credit given for those sums in your figure of 9,159*l.*?

Mr. *Claude Baggallay.*] Yes, credit is given for all those sums. There is just this one observation that I ought to make on this Table, there is a column called "other works" under the head of expenditure. You see that varies very much indeed. In 1893 only 8*l.* 8*s.* was paid on that account, but in the two years immediately preceding two sums of 273*l.* and 310*l.* were paid. That again shows that the payments are made from time to time when the funds admit of it, it is not a regular figure. The balance which was available is shown in the last column but two of that Table, No. 3, as being 312*l.* 1*s.* 9*d.* in 1893, it is the same as the half-share which is paid over to the corporation, that is the sum that was available in 1893. I have figures which have been prepared by the deputy clerk to the navigation, whom I shall call before the Committee, showing that the average expenditure is about 190*l.*; we are obliged to take the average because of the fluctuations from year to year, but the actual expenditure taken on the average of years would be 190*l.*, that 190*l.* leaves a margin of about 121*l.* That is the margin with which we have to do any extra work which may be required from time to time, or to fulfil our obligations towards the corporation, for whom we are trustees, in this matter.

Sir *Richard Paget.*] Over how many years is your average?

Mr. *Claude Baggallay.*] The average is taken over the whole period, not over any particular years, but right away from 1863 to the present time. It would be unfair to take an average of four years with regard to works, because, take for instance, 1891, 1892, and 1893, we have got a very high average, so we have taken the average over the whole 31 years. That margin of 121*l.* is the margin we should get supposing we maintain this most recent high rate of income, that is based on that, so we are taking in the 121*l.* the fullest margin that we can reasonably rely on. Now I will direct your attention to the effect of the Board of Trade Order. The Board of Trade

Order, by reducing our income, as I pointed out just now, by something over 300*l.*, would absolutely leave us, after paying our half to the Corporation, with 160*l.*, with which to meet the requirements, which come to 191*l.*, so we should be absolutely short of 31*l.* That would be the effect of it; and as regards the corporation, it would leave them without any chance whatever of getting anything under the head of surplus besides reducing what they are entitled to annually as regards the half, after payment of cost of collection. I will just call the attention of the Committee next to what the amendments are which are proposed by the Nene Navigation Commissioners, and which are naturally supported by the corporation. This is the effect of them, that we propose to maintain the tolls exactly as they are.

Chairman.] The amendments come on pages 11 and 12.

Mr. *Claude Baggallay.*] Yes, the effect of our amendments is to leave us exactly where we are at present.

Chairman.] You wish that the Committee should reject the proposal of the Board of Trade and insert your own?

Mr. *Claude Baggallay.*] Yes; and doing that would involve the supplemental alteration of leaving out the short distance toll.

Sir *William Houldsworth.*] You ask for a gross toll as against a mileage toll, and in the next place an alteration of the figure of the gross toll?

Mr. *Claude Baggallay.*] Yes.

Sir *William Houldsworth.*] It would involve an alteration of the figure for the gross toll?

Mr. *Claude Baggallay.*] Yes.

Chairman.] You propose a gross toll of 6*d.*?

Mr. *Claude Baggallay.*] Yes.

Chairman.] The Board of Trade propose a ½*d.* a mile toll for the first six miles, and ·30*d.* for the rest of the distance?

Mr. *Claude Baggallay.*] That is so, which comes very much to the same for the whole length of Smith's Leam, which hits us very hard in respect of this traffic between Stanground and Peterborough. There is a minor amendment which I need not refer to at present about boats and rafts. I come to one other point, and that is this: We do feel that we ought to point out to the Committee how very important it is that we, in our position as trustees, should as far as possible maintain the *status quo* as between ourselves and the Corration of Wisbech. There is no doubt that the Corporation of Wisbech came to the assistance of the navigation when it was in a most serious position in 1862, and they came to assist the Commissioners of the navigation on the terms of the Act of 1862. Those terms give them certain rights in respect of the tolls which were collected, and, without making all the resistance we could properly make, we ought not to acquiesce in any way in any reduction whatever. If the security of the Corporation was affected here, of course it might have a very serious effect where local authorities might at any other time be inclined to give help to navigations in a similar position. Now I come to the Petitions of the Corporation of Wisbech and the Borough of Peterborough. With regard to the Petition of the Corporation of Wisbech, I propose to say nothing, because it substantially comes to this: pointing out their reason for doing so, they wish to support us, and no doubt they will give their reasons better than I can for wishing to do so. As regards the Corporation of Peterborough, they say, acting on behalf of the inhabitants generally of Peterborough, and also of the traders using the River Nene for navigation purposes, they are interested in the tolls chargeable on the third division of the river being levied at a reasonable rate, so as to encourage the use of the river for trading purposes. At the present time the trade on the river is actually increasing; so it does not appear that much harm is done to it at the present moment. Then they go on to say that in that interest they "attended at the Board of Trade Inquiry into the matter of the tolls chargeable on the said division of the said river, and urged an arrangement and modification of the tolls thereon, so that the traders using the said division of the said river should pay a mileage rate and not one uniform sum on any distance travelled as was theretofore charged, whether the goods for which tolls were paid were carried over the whole division or only over a part thereof, and your petitioners were heard by their counsel and witnesses on the said Inquiry, and in the result the Board of Trade have thought fit to fix a rate of tolls and charges to be hereafter paid on the said Nene Navigation, third division, by a mileage rate." It amounts to this, they support the Board of Trade view. I may mention this with regard to the Corporation of Peterborough, that that as far as one can ascertain the interest of Peterborough in the matter is very small indeed. It is the interest of the railway companies which is really the interest in this matter; it is not the interest of the Corporation of Peterborough. The whole amount of the traffic that Peterborough itself took in by this navigation in 1893 was somewhere about 1,300 tons; the whole of the balance of the traffic was what was taken by the railway companies; and I cannot help thinking that any reduction in toll to Peterborough would not result in any benefit to Peterborough itself, but would merely be putting the difference into the pockets of the railway companies who collect the traffic from these levels, and take it up to their railways. They charter barges for the purpose.

Mr. ROBERT BENNETT is called in; and, having been sworn, is Examined, as follows:

Mr. *Claude Baggallay.*

7478. You are Deputy Town Clerk of the borough of Wisbech?—Yes.

7479. You have been deputy clerk to the River Nene Commissioners ever since the year 1862?—Yes.

7480. Is what I stated with regard to the history of the Commissioners and the state of the navigation correct?—Yes, it was perfectly correct.

7481. Was there, in 1862, a serious question as to how money was to be provided for the purpose of carrying on this portion of the navigation?—There was, certainly.

7482. I believe, eventually, the Corporation of Wisbech became contributors to the extent of 8,000*l.* for the purpose of getting rid of the old debt?—It was so.

7483. I believe they were practically compelled to do so in order to save the navigation. Is that what you mean?—Yes.

7484. And had they any other security for the repayment to them of that 8,000*l.*, and the expenses incurred in respect of interest, and so on, except from their interest in the navigation?—They had no other means of recouping themselves. The Corporation of Wisbech had no other means of being repaid the 8,000*l.*, and the interest relating to it, otherwise than the tolls they might receive under the Act of 1862 from these Commissioners.

7485. Of course the persons who advanced the 8,000*l.* to the corporation had other security for themselves as against the corporation?—Yes, very extensive security beyond that.

Mr. *Richardson.*

7486. What rate of interest did the Wisbech Corporation charge for this loan?—They had to pay 5 per cent. originally to their mortgagees. It was afterwards reduced to 4½ per cent., and then, about four years ago, the residue of the mortgage debt was converted into stock, and it now remains a stock chargeable upon all the property and rates of the Corporation of Wisbech, and the dividend upon that is 3½ per cent.

7487. That is not what I want to know. I want to know what rate of interest do the Corporation charge the navigation for their loan; the average given is for the whole of the debt of the Corporation of Wisbech——

Mr. *Claude Baggallay.*] I do not think there is any rate of interest charged.

Mr. *Pope.*

7488. In making up the account so as to show the amount of indebtedness, what rate of interest is charged?—Three and a-half per cent.

Lord *Clifford of Chudleigh.*] What rate of interest do you calculate your figures upon? Your calculation is that the navigation owes to the Corporation the sum of 1,159*l.*; it all depends upon the rate of interest at which you calculate it out?

Mr. *Claude Baggallay.*] As I understand, the rate of interest would vary according to the rate of interest which the Corporation were paying to the mortgagees from whom they borrowed the 8,000*l.*, that is to say, that whereas originally the Corporation, in order to get the 8,000*l.*, had to pay 5 per cent., at that time they would be debiting the Navigation Commissioners at the rate of 5 per cent.; when subsequently they got it reduced to 4 per cent., they would go on debiting at 4 per cent. Now they pay the mortgagees the balance of the 8,000*l.* at the rate of 3½ per cent., and they are debiting us in the accounts with 3½ per cent.

Lord *Clifford of Chudleigh.*] Your calculation brings it out at 4 per cent.

Mr. *Pope.*] The Act of 1862, which obliges us to advance the 8,000*l.*, fixed no rate of interest. We have charged from beginning to end of the account the amount for interest which we have actually paid to our creditors for the money. The Act of 1862 gave us power to raise the money by mortgage of the various properties of the Corporation of Wisbech, and we have raised the money upon security which has satisfied the creditors. Then we have charged as against the Nene Commissioners only the sum for interest which it has actually cost us, though we have given the additional security.

Sir *Richard Paget.*] Mr. Baggallay opened that there was owing to the Wisbech Corporation, 1,159*l.*

Mr. *Claude Baggallay.*] Yes, that is the amount now.

Earl of *Lauderdale.*] You do not know what the interest averages?

Lord *Clifford of Chudleigh.*] It averages nearly 4 per cent.

Mr. *Pope.*] Looking at the statement before me, it must have averaged about 4 per cent.

Mr. *Claude Baggallay.*

7489. We have the figures. (To the *Witness.*) Your navigation consists of the River Nene, between Peterborough and Bevis Hall, and all these branches?—Yes.

7490. As a direct through communication between Peterborough and Wisbech by Smith Leam?—Yes.

7491. The only navigable part of the navigation is the bit between Cut's Mouth and Standground Sluice?—Yes.

7492. There is Morton's Leam, which under the Act you have power to make navigable, but it is not now navigable?—No.

7493. As long as Smith's Leam is navigable it is not required?—Not in the least.

7494. And as long as Morton's Leam is not navigable, in the popular sense of the word, you cannot charge any tolls in respect of any part of that?—No.

7495. With regard to those distances which I gave to the Committee, were they correct?—Quite correct.

7496. Now it is a fact, is it not, that 6*d.* is your maximum toll for all goods carried on any part

Mr. *Claude Baggallay*—continued.

part of the navigation, however short or however long?—Yes.

7497. You take your tolls at the three places mentioned, Wisbech, Dog-in-a-Doublet, and Peterborough?—Yes.

7498. And the tolls are payable, as I stated at the first, of those points which the goods pass?—They are.

7499. Have you prepared, or caused to be prepared, the Tables which have been put in, take Table I.?—Yes, I have prepared that Table and caused it to be printed.

7500. Is that Table accurately prepared from the books of the navigation?—It has been very carefully prepared and I believe accurately.

7501. It probably shows the proportions of long-distance merchandise and short-distance merchandise at every point?—Yes, in every case.

7502. As regards the special item of earth and clay between Cross Keys and Bevis Hall, in 1893, was that exceptional?—Yes.

7503. It was material taken for the corporation for a particular work of the Corporation of Wisbech?—Yes, the corporation bought the power to take a certain quantity of earth from the Commissioners of Sewers and paid them a consideration for the liberty and they paid tolls to these Commissioners on the conveyance of that. That is a thing that will not occur again so far as anyone knows.

7504. So far as the tolls taken for long distance traffic at Wisbech in an ordinary year, are those tolls principally in respect of timber and battens and deals?—Those things with wood poles and other goods of the same character form certainly nearly the whole of the traffic from Wisbech to Peterborough on Smith's Leam, or either way.

7505. As to this Table No. 2 which has been handed in to the Committee shows the proportion of tolls taken each year of the years mentioned at Wisbech and Peterborough respectively in respect of timber, deals, battens and woods; was that prepared by you?—I did prepare it from the accounts.

7506. And it is correct?—Yes.

7507. It does not appear in words upon the paper, but as a matter of fact the result shown is that, disregarding the year 1893, 10-11ths of the wood and timber trade between Wisbech and Peterborough passes by Smith's Leam?—It does show that first on the 10 years' period, and then on a nine years' period.

7508. With regard to Dog-in-a-Doublet, what traffic principally pays there?—Agricultural produce principally; there is gravel occasionally.

7509. The total collection at that point is only 38*l.* per annum?—That was the amount in the year ended September 1893, and that is as much as it has averaged; it has sometimes been about 40*l.*, sometimes a good deal less.

7510. As regards Peterborough, leaving out the question for a moment, the traffic which comes *viâ* Standground Sluice the only short distance traffic there is from a place called Northey Gravel?—Yes, there is other traffic passing from Cross Guns, and the first tolling station it comes to is Dog-in-a-Doublet, and pays toll there.

Mr. *Claude Baggallay*—continued.

7511. It pays the Dog-in-a-Doublet toll. I speak of Peterborough?—The only short distance traffic is from Northey Gravel.

7512. It is a fact, is it not, that the rest of the traffic is almost entirely what comes *viâ* Standground?—Yes.

7513. I believe you have gone into careful inquiry to ascertain the various points in the Southern and Middle Levels from which traffic comes, which passes to Peterborough *viâ* Standground?—I have done that.

7514. And you have found out that you can account for practically the whole of the traffic which arrives at Peterborough as coming from those two levels?—From those two levels, and therefore coming round the long route from Wisbech.

7515. You mean by the Old Nene?—Yes, independently of that, a very large quantity comes from these two levels of agricultural produce, 20,000 tons.

7516. Have you done your best to ascertain where the traffic goes, which comes from the south *viâ* Standground to Peterborough; have you ascertained whether it stops in Peterborough or goes beyond Peterborough?—I have only ascertained it by monthly returns; it is from the railway company, and they show as having received from on board lighters on the River Nene, adjoining their wharves, nearly the whole of the quantity that comes in at Standground.

7517. You heard the figures I gave to the Committee; was that statement accurate?—It was.

7518. Those figures which I gave were the figures you have compiled from these monthly returns?—Yes.

7519. Did you prepare the Statement No. 3, which has been handed in, showing the receipts and payments on the first page for the whole 31 years in a summarised form, and on the middle pages showing from 1863 to 1893 details year by year of the receipts and the application of the receipts?—I did.

7520. Are those figures so far as you know correctly abstracted from the books?—I am sure they are quite correct.

7521. You heard what I said to the Committee with regard to the decrease in the receipts of the tolls at Wisbech and increase at Peterborough; is that correct?—Quite correct.

7522. And it has been a steady decrease on the one hand and a steady increase on the other hand?—Yes.

7523. You have prepared a Table showing from the year 1863 to the year 1874, and again from 1882 to 1893, the amount of tolls received at Wisbech, Dog-in-a-Doublet and Peterborough respectively?—Yes, I have.

Sir *Richard Paget.*] You opened the increase at 711*l.*?

Mr. *Claude Baggallay.*

7524. It increased to 711*l.* on the last year, the total in the first year being 745*l.* (To the *Witness.*) Had you any complaint as to the tolls before this Inquiry?—None that I am aware of.

7525. You would have heard of it if there had

Mr. *Claude Baggallay*—continued.

had been; you generally attend the meetings of the Commissioners?—Yes; I should have heard of it, certainly.

7526. I told the Committee that last year as an exceptional matter a certain amount of timber usually going by Smith's Leam was carried round by Standground to Peterborough; that was on account of the want of water in the navigation?—Yes, the river was very low.

7527. The water was very low in Smith's Leam?—Yes, Northey Gravel particularly; boats could not get across Northey Gravel.

7528. You worked out the figures which were given to the Committee showing what would be the reduction as appearing in Table I., in the income of the Commissioners, if the Boardof Trade Schedule were taken?—Yes, it is stated in No. 1, and I worked it out.

7529. And I believe it shows that after paying the cost of collection, and paying one-half of the gross income to the corporation subject to the cost of collection it would leave you 160*l.* on the most recent figures you could get?—One hundred and sixty pounds fourteen shillings and sixpence if the traffic were the same as it was in 1893.

7530. Assuming the traffic maintained the proportions of 1893, you would be reduced in income to 160*l.*, that would be the income available for management and superintendence, and maintenance and conservancy?—It would be so.

Lord *Clifford of Chudleigh.*] Is that on the 1893 account?

Mr. *Claude Baggallay.*

7531. Yes, that would be the effect, that would reduce it to 160*l.*?—That is after paying cost of collection of the tolls, which is the first charge upon the tolls, and after paying half of the balance then left to the corporation, which is a second charge upon the tolls, the 160*l.* would be left application to the foliowing purposes: cotting and roding, general management, maintenance, superintendence, and so forth; the average expenditure on works, dredging, and so on,and the average expenditure on Parliamentary, legal, and other expenses.

Sir *William Houldsworth.*] Could you work out the figure, because I do not follow it?

Lord *Clifford of Chudleigh.*] After paying the cost of collection, roding and other works, Parliamentary and general expenses, you handed over a balance of about 229*l.*

Mr. *Claude Baggallay.*] That would be the income as at present.

Sir *William Houldsworth.*] That leaves 219*l.*

Mr. *Claude Baggallay.*

7532. The income will be reduced from 711*l.* to 404*l.* That would be the effect of the Board of Trade offer. (To the *Witness.*) Have you made a fair estimate of what is the annual cost of maintaining and carrying on the navigation?—Yes, judging from the past, I have,

7533. In making that estimate I believe you have taken the actual figure which can be ascertained of the roding and cotting?—I have.

7534. You have taken the last year, which was 40*l.* 8*s.*?—Yes.

7535. It being rather less than any one of the four preceding years?—Yes.

7536. So that vou have taken the lowest of the last five years?—Yes, the actual cost.

7537. General management, &c., in which you take 41*l.* 0*s.* 4*d.*?—Yes.

7538. That being the lowest since 1884?—That is so.

7539. So that in estimating your expenditure you have taken the two lowest items for some time past?—Yes,

7540. For the purpose of ascertaining your average exenditure upon works you had, I believe, to take the average over the whole period?—Yes.

7541. Because it was an item which varies very much from year to year?—That is so.

7542. For the purpose of ascertaining that item you took an average over the whole of the 41 years?—The whole existence of this Commission.

7543. It comes to 42*l.* 5*s.* 6½*d.*?—Yes.

7544. You also took the average in the same way to ascertain the expenditure upon Parliamentary and legal expenses, amounting for the 41 years to 61*l.* 18*s.* 2*d.*?—That is so.

7545. Those figures make together an annual expenditure of 191*l.* 12*s.* 1*d.*?—Yes.

7546. At the present moment your income of 311*l.*, supposing that were maintained, would give you a margin of 121*l.*?—£119 I make it.

7547. On the other hand, if the Board of Trade Schedule comes into operation, is it the fact that you would be over 30*l* short of that 191*l.*?—To pay the 191*l.* we should get 160*l.*

7548. Which would leave you 31*l.* short of what on those figures it is necessary for you to have annually?—Yes.

7549. Did you prepare these two tables which have been referred to, A. and B., relating to the financial relations with the Corporation?—I did.

7550. Do those correctly show the financial position between the two bodies?—They do.

7551. The outstanding figure of 9,151*l.* is correct, is it?—That is quite correct.

(A.)

7th October 1893.

STATEMENT of Sums paid by the Corporation of Wisbech for Interest and Repayment of Principal on Mortgages under Nene Valley Act, 1862.

Paid in Year ending as follows.	Interest.	Repayment of Principal.	Total.
	£. s. d.	£. s. d.	£. s. d.
1863 September 1st	162 3 10	—	162 3 10
1864 „ „	400 – –	—	400 – –
1865 „ „	400 – –	—	400 – –
1866 „ „	400 – –	—	400 – –
1867 „ „	400 – –	—	400 – –
1868 „ „	400 – –	—	400 – –
1869 „ „	400 – –	—	400 – –
1870 „ „	399 11 2	500 – –	899 11 2
1871 „ „	337 10 –	—	337 10 –
1872 „ „	337 10 –	—	337 10 –
1873 „ „	337 10 –	—	337 10 –
1874 „ „	337 10 –	—	337 10 –
1875 „ „	337 10 –	—	337 10 –
1876 „ „	337 10 –	—	337 10 –
1877 „ „	337 10 –	—	337 10 –
1878 March 25th (half-year)	168 15 –	—	168 15 –
1879 „ „	337 10 –	—	337 10 –
1880 „ „	330 1 2	750 – –	1,080 1 2
1881 „ „	303 15 –	—	303 15 –
1882 „ „	303 15 –	—	303 15 –
1883 „ „	303 15 –	—	303 15 –
1884 „ „	303 15 –	—	303 15 –
1885 „ „	303 15 –	—	303 15 –
1886 „ „	301 7 3	250 – –	551 7 3
1887 „ „	292 10 –	—	292 10 –
1888 „ „	287 2 1	500 – –	787 2 1
1889 „ „	251 10 2	250 – –	501 10 2
1890 „ „	230 – –	—	230 – –
1891 „ „	65 1 3	—	65 1 3
	9,106 16 11	2,250 – –	11,356 16 11
Paid off by creation and issue of Stock	—	5,750 – –	5,750 – –
£.	9,106 16 11	8,000 – –	17,106 16 11

IN RESPECT OF STOCK.

Paid in Year ending	For Dividend.	For Redemption.	Total Payment.	Amount of Stock Redeemed.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1891 March 25th - - -	104 2 2	16 12 6	120 14 8	—
1892 „ „ - - -	207 19 8	33 9 8	241 9 4	13 4 5
1893 „ „ - - -	205 10 4	35 19 –	241 9 4	77 9 11
Since last date (half-year) - -	102 11 –	18 3 8	120 14 8	38 11 7
£. - - -	620 3 2	104 4 10	724 8 –	129 5 11
Stock outstanding - - - - -				5,819 15 8
„ originally issued on this account - £.				5,949 1 7

SUMMARY.

Interest and Principal, as on 1st page.	9,106 16 11	2,250 – –	11,356 16 11
Dividends and Redemption, as above.	620 3 2	104 4 10	724 8 –
£. - - -	9,727 – 1	2,354 4 10	12,081 4 11
Stock outstanding (reckoned at par) - - - - -			5,819 15 8
Total payments and present liabilities of the Corporation, besides maintenance of works - - - - - - - £.			17,901 – 7

(B.)

NENE NAVIGATION (THIRD DIVISION).

	£.	s.	d.	£.	s.	d.
Moneys paid by the Corporation of Wisbech in respect of Mortgages under The Nene Valley Act, 1862, viz :—						
Interest and Dividend - - - - - -	9,727	–	1			
In part of Principal on Mortgages - -	2,250	–	–			
For Redemption of Stock - - -	104	4	10			
				12,081	4	11
Amount received by the Corporation of Wisbech from the Commissioners, viz. :—						
Half-share of Tolls - - - - - -	6,963	12	–			
Part of Surplus - - - - - -	1,777	15	10			
				8,741	7	10
More paid than received - - - -				3,339	17	1
Stock still outstanding (reckoned at par) -				5,819	15	8
				£. 9,159	12	9

(No. 1.)

NENE NAVIGATION COMMISSIONERS.

(Third Division.)

STATEMENT showing the Net Amount of Tolls (according to the Merchandise Traffic of the Year ending 30th September 1893) which would remain over and above the Cost of Collecting such Tolls, if the alterations proposed by the Board of Trade, and those proposed by the Mansion House Association to be made in the Schedule of Tolls, were adopted; and the Shares in which the Overplus would be divisible between the Corporation of Wisbech and the Commissioners.

	As Proposed by Board of Trade.	As Proposed by Mansion House Association.
	£. s. d.	£. s. d.
Total Tolls receivable, if altered as proposed, as per Statement on the other side	404 4 2	165 15 9
Deduct expense of collecting (average of last five years)	82 15 3	82 15 3
Net Amounts in the several cases	321 8 11	83 – 6
One Moiety payable, in the several cases, to Wisbech Corporation	160 14 5	41 10 3
The remaining Moiety, in the several cases, applicable for the Maintenance and Conservancy of the Navigation of the River in the Third Division, and all expenses of the Commission	160 14 6	41 10 3

Nene Navigation Commissioners (Third Division.—Railway and Canal Traffic Act, 1888.

Statement of Merchandise Traffic, and Tolls thereon, for the Year ending 30th September, 1893; and of the result of the Alterations proposed by the Board of Trade, and of those proposed by the Mansion House Association, if carried into effect, and if the Traffic remain the same.

Toll Collector's Station.		Traffic between	Distances in Miles.	Description of Traffic.	Tons.	Tolls.	Total in each Distance. Tons.	Total in each Distance. Tolls.	Result of Alterations (if adopted) as proposed. By Board of Trade.	Result of Alterations (if adopted) as proposed. By Mansion House Association.	—
						£. s. d.		£. s. d.	£. s. d.	£. s. d.	
WISBECH	Short Distances.	Wisbech and Guyhirn	3½	Wheat	3	– 1 6					
				Gravel	70¼	1 15 1½					
				Stone	94	2 7 –					
					167¼	4 3 7½	167¼	4 3 7½	2 1 10	1 4 4	
		Wisbech and Nettle Bank	1	Gravel	286½	7 3 3	206½	7 3 3	3 11 8	– 11 11	
		Cross Keys and Wisbech	0½	Earth and Clay (*a*)	1,517¼	37 18 7½	1,517¼	37 18 7½	19 – –	1 11 8	(*a*) Exceptional, and not likely to recur.
		In Wisbech	0½	Potatoes	14	– 7 –	14	– 7 –	– 3 6	– – 3	
	Long Distances.	Wisbech and Peterborough	16½	Wheat	24½	– 12 3	1,985	49 12 6	24 17 –	3 8 2	
				Oats	41½	1 – 7½					
				Beans and Peas	37	– 18 6					
				Barley	8¼	– 4 1½					
				Potatoes	80	2 – –					
				Maize	8	– 4 –					
				Timber	979¾	24 9 10½					
				Deals	269¼	6 14 7½					
				Battens	655	16 7 6					
				Wood	86¼	2 3 1½					
				Poles	45¾	1 2 10½					
				Bricks	24	– 12 –					
				Slates	18	– 9 –					
				Miscellaneous	1	– – 6					
					2,278	56 19 –	2,278	56 19 –	58 7 6	58 7 6	
							4,263	106 11 6	83 4 6	61 15 8	

19 *July* 1894.

DOG-IN-A-DOUBLET	Short Distances.	Yardy's and Thorney	1¼	Gravel	329	8 4 6	329	8 4 6	4 2 3	– 17 3
		Dog-in-a-Doublet and Peterborough	5¼	Wheat	276	6 18 –				
				Oats	85½	2 2 9				
				Barley	15	– 7 6				
				Potatoes	16	– 8 –				
				Straw	154	3 17 –				
				Hay	10	– 5 –				
					556½	13 18 3	556½	13 18 3	6 19 2	5 19 8
		Dog-in-a-Doublet and Cross Guns	4¾	Hay	17	– 8 6	17	– 8 6	– 4 3	– 3 5
	Long Distances.	Yardy's and Wisbech	12¾	Gravel	246	6 3 –	246	6 3 –	5 3 –	5 2 11
		Dog-in-a-Doublet and Wisbech	11½	Potatoes	110	2 15 –	110	2 15 –	2 2 8	2 2 8
		Cross Guns and Peterborough	10	Wheat	20	– 10 –				
				Oats	19	– 9 6				
				Straw	43	1 1 6				
				Hay	136	3 8 –				
					218	5 9 –	218	5 9 –	3 16 4	3 16 4
		Guyhirn and Peterborough	13½	Straw	60	1 10 –	60	1 10 –	1 5 6	1 5 6
							1,536½	38 8 3	23 13 2	19 7 8
PETERBOROUGH	Smith's Leam.	Northey Gravel and Peterborough (Short distance.)	2½	Wheat	35	– 17 6				
				Oats	24½	– 12 3				
				Barley	9½	– 4 8				
				Potatoes, Carrots, and Mangolds	117	2 18 6				
				Straw	30	– 15 –				
					216	5 7 11	216	5 7 11	2 14 –	1 2 6
		Peterborough and Wisbech (Long distance.)	16½	Potatoes	265	6 12 6				
				Stone	825	20 12 6				
					1,090	27 5 –	1,090	27 5 –	27 18 9	27 18 9
							1,306	32 12 11	30 12 9	29 1 3

Nene Navigation Commissioners (Third Division).—Railway and Canal Traffic Act, 1888.

Statement of Merchandise Traffic, and Tolls thereon, for the Year ending 30th September, 1893; &c.—*continued.*

Toll Collector's Station.	Traffic between	Distances in Miles.	Description of Traffic.	Tons.	Tolls.	Total in each Distance. Tons.	Total in each Distance. Tolls.	Result of Alterations (if adopted) as proposed. By Board of Trade.	Result of Alterations (if adopted) as proposed. By Mansion House Association.	—
					£. s. d.		£. s. d.	£. s. d.	£. s. d.	
PETERBOROUGH—*continued.* Stanground Route.	Peterborough and Stanground - -	1¼	Wheat - - - - -	4,501	112 10 6					
			Oats - - - - -	1,274½	31 17 3					
			Beans, Peas, &c. - - -	107½	2 13 9					
			Barley - - - - -	851	21 5 8					
			Potatoes, Carrots, and Mangolds	4,695	117 17 6					
			Straw - - - - -	7,062	176 11 –					
			Hay - - - - -	775	19 7 6					
			Deals - - - - -	653	16 6 6					
			Battens - - - - -	468	11 14 -					
			Stone - - - - -	200	5 – –					
			Coals - - - - -	599	14 19 6					
			Bricks - - - - -	72	1 16 –					
			Miscellaneous - - - -	77	1 18 6					
				21,335	533 7 8	21,335	533 7 8	266 13 9	55 11 2	
						22,641	566 – 7	297 6 6	84 12 5	

TOTAL TRAFFIC AND TOLLS AS ABOVE.

—	Tons.	Present Tolls.	By Proposed Alterations. Board of Trade.	By Proposed Alterations. Mansion House Association.
		£. s. d.	£. s. d.	£. s. d.
Wisbech - - - - - - - -	4,263	106 11 6	83 4 6	61 15 8
Dog-in-a-Doublet - - - - -	1,536½	38 8 3	23 13 2	19 7 8
Peterborough - - - - - -	22,641	566 – 7	297 6 6	84 12 5
Total - - -	28,440½	711 – 4	404 4 2	165 15 9

(No. 2.)

NENE NAVIGATION (Third Division).

TOLLS received on Timber, Deals, Battens, and Wood.

Year ending 30th September.	Wisbech.	Peterboro'.	Year ending 30th September.	Wisbech.	Peterboro'.
	£. s. d.	£. s. d.		£. s. d.	£. s. d.
1867 - - -	61 3 3	8 4 –	1884 - - -	71 17 11	5 18 –
1868 - - -	42 17 5	7 12 3	1885 - - -	55 7 4	1 17 6
1869 - - -	64 17 9	11 19 8	1886 - - -	42 1 7	1 14 –
1870 - - -	40 2 4	10 2 9	1887 - - -	47 2 4	11 6 6
1871 - - -	91 10 6	5 11 –	1888 - - -	39 3 2	11 4 –
1872 - - -	74 3 3	1 19 –	1889 - - -	63 11 11	8 10 9
1873 - - -	54 4 9	1 7 6	1890 - - -	87 7 11	2 14 6
1874 - - -	74 2 3	12 6 3	1891 - - -	66 – 8	—
(Let on Lease.)	—	—	1892 - - -	75 9 8	12 1 –
1882 - - -	84 4 4	5 1 3	1893 - - -	50 18 –	28 – 6
1883 - - -	63 5 1	– 17 6			
Total for 10 years £.	650 10 11	65 11 2	Total for 10 years £.	599 – 6	83 6 9
Yearly average of 10 years - - £.	65 1 1	6 11 1	Yearly average of 10 years - -	59 18 1	8 6 8
Totals of last 10 years as above - - - - - - £.				599 – 6	83 6 9
Deduct 1893, which was an extraordinarily dry year; scarcely water enough in River at Peterboro' to float a pleasure-boat - -				50 18 –	28 – 6
Totals for 9 years ending 30th September 1892 - - - - £.				548 2 6	55 6 3
Averages for those 9 years - - - - - - - - -				60 18 1	6 2 11

Almost identical with the Averages of the previous ten years, and in nearly exactly the same proportions.

In each case the Wood, &c., *viâ* Standground is about one-tenth of that by Smith's Leam, and about one-eleventh part of the whole.

No. 3.

NENE NAVIGATION COMMISSIONERS (THIRD DIVISION).

SUMMARY of ACCOUNTS of RECEIPT and EXPENDITURE from 30 September 1862 to 30 September 1893.

	£. s. d.	£. s. d.
RECEIPTS:		
Total Receipts for 31 years from the time of their Incorporation, viz.—		
Tolls	16,531 14 2	
Bank Interest	152 1 6	
Other Receipts	4 7 2	
		16,688 2 10
PAYMENTS:		
Total Payments from the time of their Incorporation, viz.—		
Cost of Collection of Tolls	2,021 13 1	
Roding and Cotting River	737 10 9	
Other Works	1,310 13 9	
Parliamentary and Law Expenses	2,105 5 8	
General Management and Income Tax	1,403 5 4	
Half-share of Tolls (net) paid to Wisbech Corporation.	6,963 12 –	
Part of Surplus paid to same	1,777 15 10	
		16,319 16 5
Balance in the hands of the Commissioners 30 September 1893 agreeing with their published Account for that Year £.		368 6 5

No. 3—*continued.*

Nene Navigation Commissioners (Third Division).

Summary of Accounts of all Moneys received and expended by the Commissioners from the 30th of September 1862 to the 30th of September 1893.

Year ending 30th September.	Receipts. Tolls.	Interest.	Other Receipts.	Total.	Expenditure. Cost of Collection.	Roding and Cotting River.	Other Works.	Parliamentary and Law Expenses.	General Management and Income Tax.	Half-share to Wisbech Corporation.	Part of Surplus to Wisbech Corporation.	Total.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1863	745 6 6	3 6 8	- - -	748 13 2	77 5 10	13 17 6	- - -	- - -	38 4 -	335 13 8	- - -	465 1 -
1864	624 9 9	5 17 2	- - -	630 6 11	75 9 5	12 4 6	109 14 8	- - -	26 1 -	275 13 3	- - -	499 2 10
1865	805 3 -	8 1 5	- - -	813 4 5	127 9 5	- - -	72 10 10	213 13 10	22 5 -	340 1 4	- - -	776 - 5
1866	703 11 7	3 15 8	- - -	707 7 3	77 13 5	3 6 -	73 12 -	392 12 6	24 6 6	313 11 7	- - -	885 2 -
1867	504 3 8	5 1 3	- - -	509 4 11	75 5 11	4 10 -	- - -	- - -	40 4 6	215 12 -	- - -	335 12 5
1868	471 11 8	6 10 2	- - -	478 1 10	77 7 5	16 18 3	37 10 -	- - -	39 - 3	197 12 1	- - -	368 8 -
1869	502 18 10	7 18 3	- - -	510 17 1	85 12 3	- - -	67 3 11	- - -	38 7 -	209 3 3	- - -	400 6 5
1870	463 18 -	3 14 2	- - -	467 12 2	76 19 9	6 18 6	- - -	- - -	41 7 9	193 19 1	500 - -	819 5 1
1871	438 17 6	2 15 7	- - -	441 13 1	77 - 11	- - -	- - -	211 8 2	41 11 4	181 8 3	- - -	511 8 8
1872	438 17 2	5 11 3	- - -	444 8 5	76 19 6	15 - -	1 2 10	72 17 -	65 16 6	181 1 4	- - -	412 17 2
1873	347 1 -	7 15 8	- - -	354 16 8	76 14 6	35 - -	51 3 -	137 10 -	67 19 8	135 13 3	- - -	504 - 5
1874	437 5 3	1 3 8	3 8 -	440 16 11	69 18 9	35 - -	20 13 8	214 7 6	40 5 4	184 9 7	- - -	564 14 10
1875	545 1 9	1 11 4	- - -	546 13 1	68 6 -	13 10 -	2 4 9	300 - -	40 6 -	128 9 11	- - -	552 16 8
1876	427 15 -	- 16 5	- - -	428 11 5	19 12 6	20 - -	7 14 2	259 - -	38 2 6	- - -	- - -	344 9 2
1877	426 - -	2 15 1	- - -	428 15 1	10 - -	21 - -	22 7 2	- - -	41 8 9	- - -	- - -	94 15 11
1878	426 - -	6 1 10	- - -	432 1 10	10 - -	22 15 6	- - -	- - -	41 16 9	- - -	- - -	74 12 3
1879	426 - -	7 19 8	- - -	433 19 8	12 2 -	- - -	- 12 6	217 8 1	40 3 -	734 15 1	- - -	1,005 - 8
1880	319 10 -	- 16 6	- - -	320 6 6	12 2 -	71 7 4	- - -	29 9 4	45 16 4	210 18 10	- - -	369 13 10
1881	471 11 9	2 13 2	- - -	474 4 11	10 - -	17 13 -	4 12 3	- - -	43 18 4	154 2 3	- - -	230 5 10
1882	345 10 3	2 10 2	- - -	348 - 5	66 18 11	- - -	- - -	- - -	53 4 4	220 5 1	- - -	340 8 4
1883	441 11 5	4 10 7	- - -	446 2 -	57 16 1	29 10 6	- - -	- - -	35 8 9	149 16 5	- - -	272 11 9
1884	523 16 2	2 5 11	- - -	526 2 1	65 - 5	29 11 -	- - -	- - -	37 19 9	191 17 8	- - -	324 8 10
1885	641 5 3	4 - 5	- - -	645 5 8	79 4 5	29 15 4	56 9 6	- - -	43 2 -	229 7 10	- - -	437 19 1
1886	676 18 9	20 5 4	- - -	697 4 1	79 4 3	47 12 8	45 3 -	56 19 3	77 5 11	281 - 5	- - -	587 5 6
1887	466 19 2	17 4 4	- - -	484 3 6	59 15 7	39 12 9	8 8 -	- - -	56 5 4	298 17 3	500 - -	962 18 11
1888	668 12 8	4 1 1	- - -	672 13 9	83 17 9	29 14 6	13 18 8	- - -	44 - 6	203 11 9	300 - -	675 3 2
1889	558 11 5	5 17 7	- - -	564 9 -	69 10 1	48 3 8	12 7 2	- - -	56 2 9	292 7 5	- - -	478 11 1
1890	661 17 8	3 16 -	- 5 -	665 18 8	88 1 1	49 18 4	110 16 2	- - -	45 10 6	244 10 8	300 - -	838 16 9
1891	601 15 4	- 19 3	- 4 -	602 18 7	80 9 10	42 18 9	310 10 7	- - -	88 2 8	286 18 3	177 15 10	986 15 11
1892	708 13 4	- 17 9	- 10 2	710 1 3	84 9 10	41 4 8	273 10 11	- - -	48 2 -	260 12 9	- - -	708 - 2
1893	711 - 4	1 8 2	- - -	712 8 6	91 5 3	40 8 -	8 8 -	- - -	41 - 4	312 1 9	- - -	493 3 4
£.	16,531 14 2	152 1 6	4 7 2	16,688 2 10	2,021 13 1	737 10 9	1,310 13 9	2,105 5 8	1,403 5 4	6,963 12 -	1,777 15 10	16,319 16 5

Cross-examined by Mr. *Pope.*

7552. Would you take Table B. in your hand I want you to explain to the Committee as we go along what the Table means. The first item in the account, 12,081*l.* 4*s.* 11*d.*, is the amount which has been paid by the Corporation of Wisbech either in interest and dividend to the people who lent them the money which they gave to the Nene Commissioners, or in repayment of the mortgages which they held as against the Wisbech Corporation?—Yes.

7553. Then the second item of 8,741*l.* 7*s.* 10*d.* is the total payments, whether by way of interest, half-share of tolls, or any other mode of recoupment, which the Nene Commissioners have paid to the Corporation of Wisbech?—Yes.

7554. That leaves, therefore, 3,339*l.* 17*s.* 1*d.* still owing upon that statement?—Yes, more paid than received.

7555. The Act of 1862 enabled the Corporation of Wisbech, for the purpose of advancing the 8,000*l.*, to raise it upon various securities which are specified in that Act, including the other resources of the Corporation of Wisbech?—Yes.

7556. And you proceeded to do it upon mortgages of your harbour rates and other rates according to the provisions of the Act of 1862?—We did.

7557. In the figure of 9,727*l.* have you charged the precise amount which you paid to the people who were your mortgagees?—Yes.

7558. In 1891 you converted the whole debt of the Corporation of Wisbech from mortgages of all kinds into stock?—Yes.

7559. That is what you mean by interest and dividend; it is dividend upon the stock; it is interest upon the mortgage?—That is so.

7560. Have you, since 1891, in like manner charged against the Nene Commissioner the dividend which you paid upon the stock represented in the original mortgages?—This takes in everything that we have paid for that purpose, 9,727*l.*, and for redemption of stock 104*l.* 4*s.* 10*d.*, they together include all that was paid for interest on the mortgages or dividend on stock.

7561. And you have not charged against the Nene Commissioners what I may call a capricious rate of interest which you might bargain for from their necessities, but simply what you have paid in respect of money lent to you for the purpose?—That is so.

7562. That represents the cost to you of 8,000*l.*, which was advanced to the Nene Commissioners?—It does.

7563. And the total sum you have received from the Nene Commissioners under Section 62 of the Act of 1862, whether as half the gross tolls or as any surplus, if any were coming to you, is represented by the 8,741*l.*?—Yes, the figures which constitute it will be seen in the Table No. 3, the third and second columns from the right hand.

7564. It shows what they are, merely in respect of the stock into which the mortgages were converted in 1891, the Wisbech Corporation was still liable for 5,819*l.* of the stock?—Yes.

7565. That represents the outstanding mortgages converted into stock?—It does.

7566. The second figure in the debit against the Nene Commissioners is this first, there

Mr. *Pope*—continued.

is the cost of raising the money paid year by year, then it is "in part of principal on mortgages"?—It was paid out of accumulated money in the hands of the corporation arising from these tolls in the shape of either a yearly half of the tolls or the surplus which they receive, there were 500*l.* paid in one year, and it was immediately applied in discharging the mortgage to that extent, and whenever we receive any capital money from the Commissioners, whenever it accumulated sufficiently for us to pay off a mortgage, we did so.

7567. So as to reduce the interest that you were charging against the Commissioners?—Yes, we were not really charging them with any interest, the charges they were paying were less interest after we paid those off.

7568. And you charged them with less?—Yes.

Sir *William Houldsworth.*] If we add the 2,250*l.* that you have paid off to the 5,819*l.*, which is still outstanding, that makes up the 8,000*l.*

Mr. *Pope.*] Very nearly; within a few pounds. So that that 9,109*l.* represent the original principal plus arrears of interest.

Mr. *Richardson.*

7569. We were told that the present indebtedness to the Corporation of Wisbeach was 9,159*l.* 13*s.* 9*d.*?—That is so.

Cross-examined by Mr. *Percival.*
(*For the Corporation of Peterborough.*)

7570. We support the Board of Trade Schedule because the Board of Trade Schedule lowers the tolls upon the short-distance traffic. In 1852 a comprehensive scheme for the improvement of the River Nene was presented and ultimately passed into an Act of Parliament?—Yes.

7571. It was on the promotion, was it not, of a large number of the bodies, proprietors?—I believe so.

7572. Eight or nine?—I do not know how many, but some.

7573. One of those was the town of Wisbech, was it not?—No.

7574. The town of Wisbech in that Act is stated to have agreed to contribute the sum of 40,000*l.*, and a halfpenny per ton upon its shipping tonnage, which it was entitled to as the port authority of Wisbech?—That is true, but not as Promoters of the Act, certainly. The Corporation of Wisbech were not Promoters of the Act of 1852, but finding that the Act was being promoted by very influential bodies and persons they agreed to contribute such a sum as they thought they could; that was 40,000*l.*, and it was provided for by the Act of Parliament. There was also provision, as Mr. Percival has stated, that in addition to this 40,000*l.* the Commissioners then to be incorporated should be entitled to the proceeds of a toll of a halfpenny per ton register on all ships bringing cargoes into the Port of Wisbech. The corporation were to collect that due and pay over the amount of it to the Commissioners of 1852. That the corporation

Mr. *Percival*—continued.

corporation continued to do so long as those Commissioners remained a corporate body, and when they were dissolved it came over to the existing commissioners, those now before your Grace.

7575. Among other contributors, under the Act of 1852, was his Grace the Duke of Bedford, the town of Peterborough, and a considerable number of others?—His Grace the Duke of Bedford was a large contributor. Peterborough contributed 1,000*l.* upon that occasion.

7576. They are all mentioned in the Act of 1854?—Yes.

7577. But the Act of 1852 provided for the first time for the laying of a tax upon the up river navigation which was then in existence?—Yes.

7578. It put this over-all toll of 6*d.* upon all goods between that point upon the river, or any part of it, between Bevis Hall and Peterborough Bridge?—Yes.

7579. It gave that toll to the Commissioners whom that Act appointed as Commissioners for the whole river?—Yes.

7580. It also provided that that toll should not be levied until three years after the passing of that Act, or until an engineer's certificate was given that certain works in the upper river had been completed?—That is so.

7581. It also provided that no works should be undertaken in the upper river until certain other works had been completed in the upper river?—It did.

7582. In 1854, which was before the toll came into operation, it was found that the money which had been contributed under the Act of 1852, was insufficient to do the works, not only of the lower and upper river, but even to do the works that were required in the lower river; that is to say, at Wisbech and below it, and thereupon the same contributions were ordered to find the deficit, and the particular mode in which it should be found between themselves was referred to Sir John Pakington?—Yes.

7583. Sir John Pakington adopted, I suppose, the only method open to him; he took a rule-of-three sum; he said these gentlemen in the porportion in which they originally subscribed must find the deficit in the same proportion, and accordingly Wisbech found an additional sum, Peterborough found an additional sum, the Duke of Bedford compounded for a gross sum on what his proportion would have come to, and other commissioners and owners and people who were the original contributors, contributed to the Act of 1854?—I cannot say on what principle Sir John Pakington awarded. He made an award under which the Corporation of Wisbech were required to pay 12,000*l.*; I do not know how he arrived at it, of course.

7584. The works continued, and in 1862 another Bill was presented for raising a further sum for the improvement of this navigation to which Bill the Duke of Bedford was a party, because it provided for the placing of a sluice in the river at Dog-in-a-Doublet, and the Bill was presented to Parliament?—I believe that was so.

7585. In the course of that Inquiry there was a combination, was not there, against the Duke of Bedford of the fresh water interest, and between them they persuaded a Parliamentary Committee to say that the sluice should not be put in at the Dog-in-a-Doublet?—There was a very important Inquiry before an Admiralty Commissioner.

Chairman.] How does this bear upon the question?

Mr. *Percival.*] I am going to show that the Corporation of Wisbech subscribed 8,000*l.*, and that the 8,000*l.* was not a loan to the Corporation of Wisbech, but was merely a contribution in the same way as the other people contributed.

Chairman.] I do not see how it is important; whether it is a loan or a contribution, they paid it. It comes to the same thing.

Mr. *Percival.*] But this over-all charge of 6*d.* was imposed upon the scheme of 1852 that the river between Wisbech and Peterborough should be improved, and therefore the traffic which would pass over it should reasonably pay this toll. Now all the money under the three Acts, 1852, 1854, and 1862, was spent at and below Wisbech, and therefore the whole of this expenditure on the river has been incurred below Wisbech, and the benefit of that has gone to the citizens of Wisbech, who now have a channel which admits sea-going vessels with a comparative degree of safety which did not exist in 1852.

Chairman.] If they have been acting in contravention of the Act of Parliament, there are means of compelling them to do that which Parliament said they should do.

Mr. *Percival.*] It is a question whether the toll of 6*d.* now levied upon traffic going only half-a-mile upon the natural waterway just below Peterborough Bridge and Cutsmouth, is a fair and reasonable toll.

Chairman.] If it is an unfair and unreasonable toll, the Railway Commissioners are the parties to whom to apply.

Mr. *Percival.*] Under the Railway and Canal Traffic Act it has passed to the Board of Trade, and Mr. Pelham's view is embodied in the Schedule.

Chairman.] You talk of what has been done in the past; if you have been unjustly treated in the past, you had a Tribunal to go to?

Mr. *Percival.*] And we have come to that Tribunal representing our hardship.

Chairman.] You speak of what has taken place ever since 1862?

Mr. *Percival.*] I am trying to show your Grace that what took place since 1862 is a hardship upon the agricultural interest.

Chairman.] If it has been a hardship since 1862, and the promoters have acted in contravention of the Act of Parliament, you had the Railway Commissioners to go to. Is not that so, Mr. Pope?

Mr. *Pope.*] I think so your Grace. But the Act of 1862 contains a most elaborate preamble which sets out the whole history of the reasons which induced Parliament to pass the provisions of the Act of 1862; that Act of 1862, called upon certain contributors to pay certain moneys in aid of

of the funds of the Nene Commissioners and gave to the Wisbech Corporation certain rights in return for the 8,000*l.* that they were to spend. I declare I do not care to go into the loss we had from 1852 to 1854, it was serious enough no doubt, but all we can now claim is our right under the Act of 1862; the Act of 1862 gave us, as the price of our advance of 8,000*l.*, half of certain tolls. That is our case.

Mr. *Percival.*] My suggestion is that the sum of 8,000*l.* contributed by Wisbech was in exactly the same condition as the 480*l.* contributed under the same Act by Peterborough.

Mr. *Pope.*] Possibly.

Mr. *Percival.*] But in consequence of the Duke of Bedford not getting his sluice at the Dog-in-a-Doublet the Act of 1862 was turned into a winding-up Act.

Chairman.] I do not think you are right in saying in consequence of the Duke of Bedford not getting something.

Mr. *Percival.*] The Bill as introduced in 1862 would have continued the Commissioners for the whole river.

Chairman.] I know nothing of the subject, but you have no authority for saying that it is because the Duke of Bedford did not get something that therefore Parliament passed an Act of Parliament to do something else.

Mr. *Percival.*] When the Commissioners were dissolved there was a ½*d.* tonnage toll at Wisbech which had to be re-vested in some other body; it was re-vested in the Wisbech Corporation.

Witness.] In return for certain liabilities they are thrown back upon that.

Mr. *Percival* (to *Witness*).

7586. The new toll, under the Act of 1852, on the upper river traffic, was also transferred to the Wisbech Corporation?—A portion of the tolls upon the upper part of the river no doubt were. That is what has been spoken of.

7587. But throughout the Act of 1862 the sum of 8,000*l.* is spoken of as the contribution by the town of Wisbech; it is not given as a loan by Wisbech?—It was a payment by Wisbech.

7588. For some time after the passing of the Act of 1862 the Nene Commissioners considered that they were still entitled to improve Smith's Leam?—The Commissioners, certainly, in the early days of their existence, thought that they might do such works as should be recommended to them in the river by an engineer, and they employed an engineer.

7589. They employed an engineer and entered into contracts for the undertaking of these works.

Chairman.] What has that to do with this which we are now discussing?

Mr. *Percival.*] Peterborough has contributed sums for the improvement of the river, which sums have been spent below Wisbech, but no improvement has taken place between Wisbech and Peterborough.

Chairman.] We are not dealing with that—that is not before us; what is before us is the Schedule of the Board of Trade and the amendments of the Corporation of Wisbech.

Mr. *Pope.*] The Nene Commissioners may have spent money improperly, but my learned friend should have taken his remedy at that time; I do not know that it is so, but it is possible it may have been the case.

Chairman.] We are not now dealing with or inquiring into the malpractices of the Nene Commissioners, if there have been any, but that is the question you are asking this witness.

Mr. *Percival.*] The case you are considering is whether this over-all charge of 6*d.* is a fair and reasonable charge, and, I submit, that one of the considerations which your Grace almost must take into consideration in estimating it, is whether the traffic which it is imposed upon has got the advantage in consideration of which the toll was levied in 1852, or any part of it.

Lord *Clifford of Chudleigh.*] Did not Parliament consider all this in 1862?

Mr. *Percival.*] In 1862 Parliament still considered they had, or might have, the advantage for which they stipulated. Immediately after the passing of the Act of 1862, the Commissioners entered into contracts for the improvement of the upper river.

Witness.] Those contracts were for very much smaller works than were ever contemplated under the Act of 1852; the very smallest that could be done was done for the purpose of enabling boats to get over these high points, of which Northey Gravel is the principal one, and that led to an injunction against the existing Commissioners to prevent them doing that, which injunction still remains in force.

Mr. *Percival.*

7590. The consequence is that the traffic passing from Wisbech to Peterborough or from Peterborough to Wisbech has been for the last year and for several years before occasionally driven round by the loop of the Middle Level?—Occasionally that has happened.

Chairman.] You are not asking questions; you are making a statement, and asking the gentleman whether he believes it.

Mr. *Percival.*] I am cross-examining him.

Chairman.] You may cross-examine as much as you like, but you must question him.

Mr. *Percival.*

7591. (To the *Witness.*) Traffic which goes in that way still pays the full toll which Parliament imposed as a proper toll from Wisbech to Peterborough to the New Nene Commissioners?—Yes; the traffic from Standground to Peterborough pays the same as if it went up Smith's Leam, 6*d.* for any part of the distance.

7592. In addition to that, what other charges can you tell the Committee it has to incur?—It incurs some charge in the Middle Level, I think 8*d.* a ton from Outwell through the Standground Sluice to the Middle Level, 6*d.* from Wisbech to Outwell through the Wisbech Canal, but that has nothing to do with these Commissioners.

7593. But these Commissioners take this 6*d.* on traffic which pays 1*s.* 2*d.* in addition to that

Mr. *Percival*—continued.

6*d.*, so that the traffic is charged 1*s.* 8*d.* instead of 6*d.* as was contemplated by all the Acts, 1852, 1854, and 1862; that we have to deal with?

Mr. *Pope.*

7594. You can answer that question, yes. It does when it is actually turned this way pay that extra toll?—And other things; it pays all the tolls given by the Act to other bodies, that is, the Wisbech Canal Company and the other companies.

Mr. *Percival.*

7595. Your Tables, I think, show that this traffic has very largely increased, or, at all events, the Standground Sluice traffic has very largely increased of late years?—Certainly from about 1876 or 1879 it has gradually grown up. In 1880 the total tolls were 319*l.* 10*s.*, and they have grown up to 711*l.*, chiefly from the increase of traffic from Standground to Peterborough.

7596. I ask you whether, if the Board of Trade Schedule is adopted, you will not receive from the Standground Sluice traffic a sum largely in excess of the tolls that you collected in Peterborough during the first ten years, from 1863 to 1873?—There is a Table showing that.

7597. The tolls collected at Peterborough in early years ran to about 200*l.* a-year?—More than that; they were 300*l.*, 232*l.* 251*l.*, 231*l.*, about 220*l.* in the first four or five years.

7598. And the 3*d.* toll, even if we have the Peterborough tolls from 1885 to 1893, would produce an equal amount?—If the traffic remained the same it would be somewhere about that.

7599. If it remained on the average of the last 10 years?—At the other end, at Wisbech, it has fallen off very much.

7600. As far as the Corporation of Wisbech are concerned they have been paying themselves the sum which they provided as a contribution by collecting tolls on traffic that to some extent has been driven round?—They have been paid something by means of these half tolls, but they have not been fully paid or anything like it.

7601. Do you consider that it is a fair and reasonable thing that traffic which only goes from half-a-mile to a mile (it is a mile if it is taxable to Stanground Sluice; it is half-a-mile if it is only taxable to Cut's Mouth) should pay the same sum as if it went the whole way from Bevis Hall to Peterborough?—I certainly do think that it is perfectly fair that the 6*d.* should be paid, at any rate, till the debt is paid off. A heavy debt is due to the Corporation of Wisbech, which has really involved payments out of the ratepayers' pockets, and that should be paid off before the toll is cut down. It is not fair to the inhabitants of Wisbech to take any other view of it.

7602. You have had 30 years in which to pay off this 8,000*l.*, and, as I understand the figures, you have made no progress towards it?—Yes; we have paid 2,250*l.* off the mortgage debt, and we are paying every year into what is called the Borough Consolidated Loans Fund 219*l.* odd for the purpose of keeping down the dividend and making a reduction of the capital stock.

Re-examined by Mr. *Claude Baggallay.*

7603. Excepting under the very exceptional circumstances which you stated with regard to the low state of the river last year, has there been any traffic which has been compelled to go round from Wisbech to Outwell?—I think one year before the commencement of my table there was a case where it had to go round. That was quite exceptional.

[The Witness is directed to withdraw.

Mr. *Claude Baggallay.*] That is the case for the Commissioners.

Mr. *Percival.*] I have nothing more to say than what I suggested to the witness in cross-examination, and that is that this toll is an unfair and unreasonable toll on traffic which is charged for a short distance. The Board of Trade have reduced the toll to a mileage toll, and in order to protect the Commissioners they have given a minimum distance of 6 miles. Though that, perhaps, does not go so far as the Corporation of Peterborough would have liked—I believe they suggested a four-miles limit—they consider that that as an alleviation, which the agricultural trade which has sprung up of late years round Peterborough is entitled to; 6*d.* was imposed by Parliament as a fair charge for the whole way from Wisbech to Peterborough by the river, which the Commissioners were improving and intended to improve to such an extent that sea-going vessels were considerid to be likely to come up to Peterborough. There has been no improvement of the river between Wisbech and Peterborough, though Peterborough contributed its fair share to the three Acts in the same way that Wisbech did, not contributing to so large an extent because they were further from the sea; but the sum that was spent under those three Acts amounted to about 240,000*l.*, and that was all spent at and below Wisbech. Wisbech has had the benefit of that expenditure. The traffic above Peterborough has not had the direct benefit of any part of that expenditure; nevertheless it is saddled with a 6*d.* toll over all. The passing of the Railway and Canal Traffic Act providing for an inquiry before the Board of Trade gave them an opportunity of submitting to the consideration of the Commissioners what they have considered all along to have been a grevious error of Parliament, and also an intolerable hardship to the agricultural interests.

Chairman.] Do you contend that the river between Wisbech and Peterborough is in a bad state?

Mr. *Percival.*] In a very bad state. I do not say these Commissioners can reasonably be expected now to improve it, because there is an injunction against them, and whatever they do they are liable to be proceeded against in the Court of Chancery for contempt of that order.

Chairman.] That part of your argument rather falls through then?

Mr. *Percival.*] Not so far as it is a consideration whether a 6*d.* over-all toll is a fair and reasonable toll.

Chairman.] We have been told also that that traffic from Stanground is through traffic, that it goes through Peterborough and does not stop. Therefore it would not be half a mile or a mile short distance.

Mr. *Percival.*] That traffic would pay 3*d.* instead of 6*d.*

Sir *William Houldsworth.*] How does that affect the Corporation of Peterborough?

Mr. *Pope.*] They want to feed the railway; that is what it comes to.

Mr. *Claude Baggallay.*] May I say one word? My learned friend is not going to call any evidence. I ought to explain this, my learned friend says the expenditure was made entirely below Wisbech; it was nothing of the kind. The expenditure was below Peterborough. As to Smith's Leam our powers of maintaining the navigation there are the same as were conferred in 1852, to maintain the navigation to the line of the Parliamentary plans deposited in 1852. That is the limit, and we have maintained it to that level only; we cannot go further.

Mr. *Pope.*] All I have to say for Wisbech is simply this; I stand upon the Act of 1862. I am not now dealing with the Nene Navigation Commissioners' case, as to whether the toll proposed by the Board of Trade is a reasonable toll or not. As far as Wisbech is concerned I have no part in that argument at all, but what I say for Wisbech is simply this. In 1862 an Act, which in the recital gives the whole history of the reasons which actuated Parliament, and the difficulties which were found to exist in the discharge of their duties by the Nene Navigation Commissioners, cast upon the Corporation of Wisbech the duty of contributing—I agree the word is "contribution"—of contributing a sum of 8,000*l.* to be appropriated by the old Nene Navigation Commissioners, who were admittedly insolvent, in the payment of their debts; and that Act provided for the discharge by the new body of Commissioners of the duties of the old body of Commissioners, who were disposed of by being dissolved. The Corporation of Wisbech finding 8,000*l.*, they were entitled under Section 62 of the Act to a certain return, which is a perfectly definite and distinct return provided by the Statute, namely, half the gross tolls which were to be raised by the new Commissioners according to the scale of 1852, the tolls which were authorised over again in 1862, and half of any surplus which might remain after the expense of the navigation had been provided for. That surplus has been very irregular, and very seldom arising, and we have not been very anxious to compel the Commissioners to pay over to us to the uttermost farthing; but what we say is this, and our case for Wisbech is exactly what Mr. Bennett put. I do not think the Board of Trade ought in a Schedule of Rates to interfere with the security which the Act of 1862 gave to the Corporation of Wisbech in respect of that 8,000*l.* If that debt is ever paid off, the question of a reduction of the rate might be considered; but as far as the Corporation of Wisbech are concerned, justness and reasonableness does not come in at all; we have our security; it is what Parliament gave us; and unless there is some reason why Parliament should disturb and alter our security, why is it to be done? Let our debt be first paid, and then let the toll be altered if you like; but till that debt is paid we are entitled to this 6*d.*, and that the Corporation of Peterborough have nothing to say about. It must be evident that the whole traffic is traffic, as Mr. Bennett describes very accurately, from the middle and southern levels seeking the railways at Peterborough for distribution all over the kingdom. The population of the city of Peterborough is a railway population and interested in the prosperity of the railways at Peterborough. That is the only reason why Peterborough are here. There is not a twentieth part of the traffic which passes along this canal and pays this toll that stops in Peterborough or is interesting to Peterborough except as it feeds the railways; and the employés of the railways are the main citizens of Peterborough.

Mr. *Spicer.*] You called this a contribution from the Corporation of Wisbech, and we have been told that other bodies contributed. Is there any arrangement in the Act for their repayment?

Mr. *Pope.*] No, none whatever. We are the only people to whom this Section 62 of the Act of 1862 is applicable. Therefore what Parliament did in 1862 was to say this: There should be certain contributions, they are small in amount except our own, and Parliament said, In order to induce the Corporation of Wisbech to raise 8,000*l.*, or to enable it to raise 8,000*l.* we give that Section 62. They did not give it to Peterborough or anybody else. I have a Parliamentary statutory contract, and unless it is for some reason to be disturbed, it ought not to be disturbed. I want the security that Parliament gave me.

Chairman.] We will hear what Mr. Pelham has to say.

Mr. *Pelham.*] I think you understand exactly that the Board of Trade proposal saves the existing toll between Peterborough and Wisbech. The question was raised before the Board of Trade whether that little spur at Standground Sluice was all of it tollable. The Board of Trade could not undertake to settle that, but they so framed the Schedule on the mileage system with a short-distance clause, that whether it was 100 yards or a mile and a half that was tollable, there would be a toll of 3*d.* payable for traffic coming that way. Of course that part of the canal, whether it is a quarter of a mile or a mile and a-half, cannot be said to be a specially expensive part of the navigation. There are no locks on it; there is no expense of water; no evidence has been given that the Commissioners have spent very much upon that part of the navigation. There was some evidence given before me that a toll of 6*d.* was a very heavy burden on agricultural traffic which was coming from the south, coming from where you see the words, "Middle Level." That traffic had to pay a toll of perhaps about 6*d.* or 8*d.*, going a great many miles over the Middle Level Navigation, and that when it came to about a mile on the Nene without going through any lock it had to pay 6*d.*, and this traffic of course is through traffic. After hearing all this evidence the Board of Trade came

came to rather a compromise on the subject. The Corporation of Peterborough and traders who were represented suggested 1½*d.* for that traffic. The Board of Trade have given 3*d.* The Board of Trade felt that they had simply to fix what was a just and reasonable toll for the navigation, and that they had nothing to do with securities. If securities are not to be affected, of course no tolls would come to be reduced on canals generally throughout the country. On the other hand, I think it is only due to the navigation to say that the sixpenny toll has not acted entirely as a bar, that the traffic has not only existed, but has increased in late years; but there is this point, that that traffic hardly did exist at the time when the sixpenny toll was fixed, which no doubt was fixed on the consideration that the traffic went along the main route of the navigation. I do not wish to say anything as to the merits of the contest between the Wisbech Corporation and the Corporation of Peterborough, but I simply point out what the reasons were why the Board of Trade came to the conclusion that 3*d.* for that short distance was all that could be called a just and reasonable toll.

Mr. *Claude Baggallay.*] As regards that question as to whether that piece is tollable between Cutsmouth and Standground, there is not to my mind the slightest doubt. The question has not been raised by Mr. Percival, and if necessary I can show you that on the Statute.

Chairman.] That is quite unnecessary.

The Committee deliberate.

Chairman.] The Committee have agreed to accept the Schedule proposed by the Nene Navigation Commissioners. I suppose the amendment to omit lines 22 to 26 is consequential.

Mr. *Claude Baggallay.*] Yes.

Chairman.] There is an amendment to make the word "boat" include "raft."

Mr. *Claude Baggallay.*] I understand Mr. Pelham has no objection to make to that amendment that the word "boat" should include "raft." Timber is very often taken in rafts.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 12) BILL.

(Grand Canal, &c.)

On Tuesday, the 17th of July, the following Petition against the Bill was read:—

The Petition of the Grand Canal Company (against alterations).

Counsel reserved.

Messrs. *Neish and Howell* appear as Agents.

Mr. *Pelham.*] Bill No. 12 relates to three carrying companies in Ireland. I have already stated that the Board of Trade have withdrawn the Schedule which relates to the Strathbane Canal, there being a legal question involved which is not yet decided. The two left are the Grand Canal and the Barrow Navigation. Since this Bill was submitted to Parliament, another Bill has been passed vesting the Barrow Navigation in the Grand Canal Company. The consequence is that the Grand Canal and the Barrow Navigation are one canal and in the hands of one company. There is no opposition. They propose to apply one Schedule to both canals, and therefore the Bill will now relate only to the one joint canal.

Mr. *Howell.*] There is no oppposition to No. 12.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 9) BILL.

(River Larke.)

Mr. *Pelham.*] This Bill relates only to the River Larke. There is no opposition and it has been suggested that it being a carrying company (that is why it is put in a separate Bill by itself) it would be convenient if it were incorporated with Bill No. 2, which contains a list of the carrying companies of England.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 10) BILL.

(Canals of the Caledonian Railway Company and of the North British Railway Company.)

Mr. *Pelham.*] This is No. 10 Bill, which is a Scotch one; there is no opposition on behalf of the companies or any trader, but you will remember that I moved a clause which was going to be put into every Bill, that "nothing in this Schedule shall apply to pleasure boats." It appears the company are anxious to say that it should not apply to pleasure boats, "or to boats for the conveyance of passengers." There is no other amendment.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 11) BILL.

(Lagan, &c., Canals.)

River Shannon Navigation.

On Tuesday, 17th July, the following Petitions against the Bill were read :—

The Petition of Arthur Guinness, Son, and Company :

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Neish and Howell* appear as agents.

The Petition of the Grand Canal Company :

Mr. *Whitehead* appears as Counsel in support of the Petition.

Messrs. *Neish and Howell* appear as agents.

The Petition of the Midland and Great Western Railway of Ireland (against alterations) :

Messrs. *Martin and Leslie* appear as agents.

The Petition of the Commissioners of Public Works of Ireland :

Mr. *J. D. FitzGerald* appears as Counsel in support of the Petition.

Messrs. *Sherwood and Company* appear as agents.

Mr. *J. D. FitzGerald.*] In this case I have the honour to appear for the Commissioners of Public Works in Ireland, in whom the Shannon is vested by Act of Parliament; and the special feature of this case is this, that the navigation here is vested in a Government Department, and that the actual tolls charged are subject to the approval of the Treasury; they cannot be either raised or reduced without approval. The history of the Shannon Navigation, so far as it is necessary for the consideration of this case, is this: In the year 1835 a Public Act was passed for the improvement of the navigation of the Shannon, which recited that the improvement of the river would contribute to the general prosperity of commerce, agriculture and revenue of Ireland. And then the Preamble goes on to recite that the expenditure attendant upon the improvement shall, in the first instance, be defrayed out of the public revenue; that one moiety of the sum so advanced should be a free grant for the improvement of the navigation, while the other moiety was to be repaid out of the surplus of the produce of the tolls accruing to the navigation. That is important, I think, as showing that the intention of Parliament when they first took this matter in hand was that the navigation should be self-supporting at any rate. Then, under that Act, Commissioners were appointed to investigate and report to the Treasury what improvement works were necessary to be carried out. Then came an important Act under which the navigation is still carried on, the Act of 1839, by which Commissioners were appointed for carrying out the necessary works for the improvement of the navigation of the Shannon; and by the 36th Section of that Act, the 2 & 3 Vict. c. 61, it was enacted that the River Shannon should be then and for ever after, to all intents and purposes, a public navigable river, and then goes on to say that all Her Majesty's subjects may navigate the river on paying the tolls provided by the Act. Then by Sections 44, 45, 46, 47, maximum tolls were fixed, and then in Section 49 comes the very important provision I have already referred to, that "The Commissioners are hereby authorised, with the approbation of the Commissioners of the Treasury, to reduce all or any of the rates or tolls by this Act authorised, and afterwards from time to time to raise the same or any of them." the result of that being, as I have already pointed out, that the tolls on this navigation are subject to the direct control of the Treasury, and that is, in fact, subject to the direct control of Parliament. Then the only other section which I need refer to is the 55th, which deals with the income, and that section enacts, "That the income of the Commissioners shall be applied in the first instance towards keeping, maintaining, and repairing the navigation of the Shannon, or any river which would be improved under the provisions of this Act, and the wharves"—and so on—"and other works connected therewith, and all expenses attending thereon; and the surplus after such expenditure shall be applied in such manner as Parliament shall direct." By the 9th and 10th Victoria the care and conservancy of the river was transferred from the Special Commissioners to the Commissioners of Public Works in Ireland, and it has remained under their control ever since.

Chairman.] It was transferred to the Commissioners of Public Works, they being under the control of the Treasury.

Mr. *J. D. Fitzgerald.*] Yes, they are under the

the Treasury. If they desire to make any alteration in the actual rates charged, they require the approval of the Treasury, in fact, the rates now charged and which were fixed in 1873 are rates fixed with the approval of the Treasury. You have before you a map showing the Shannon Navigation, it extends from Drumshambo to Limerick. The whole length of the navigation is 132 miles. There is a provision in the Act that no charge is to be made in respect of the passage through any lake; the toll is only leviable where a boat is passing through the river or through one of the canals constructed by the Commissioners. So while the whole length of the navigation from Drumshambo to Limerick is 132 miles, only 84¾ of that is river or canal, and therefore chargeable with toll, the other 47¼ miles being lake. The important point on the navigation is Shannon Harbour, which you see about the middle of the map where the Grand Canal joins the navigation. The Grand Canal runs from Drumshambo to Shannon Harbour, having branches in other directions; it runs from Drumshambo to Shannon Harbour, making a connection with the Shannon Navigation, there it enables the boats coming along the Grand Canal to go to Limerick or up to Athlone or beyond Athlone. In fact, the bulk of the traffic on the navigation comes from the Grand Canal, not the whole of it, but the greater proportion of it; and of that traffic the largest proportion, I think nearly three-fourths, is on the part of the navigation between Shannon Harbour and Limerick, what for convenience might be called the lower navigation, mainly, though there is traffic to intermediate places, to Portumna, Scariff, and Killalo. There is also a fair traffic between Shannon and Athlone. Above Athlone the traffic is very small, and, with a view of encouraging it, the existing rates on the Upper Shannon are considerably less than those on the Lower Shannon. The rates actually charged by the Commissioners and fixed in 1873 with the approval of the Treasury are very much less than the maximum rates granted by their original Act. The financial position of the Commissioners is this: The tolls which they receive are wholly insufficient for the purpose of the maintenance of the navigation, but they have other sources of income, and, with the assistance of those other sources of income, they are able to pay their way. A summary of the accounts for the last five years has been placed before you. The first column shows the sums received as rent; that is the largest source of income which the Commissioners have, and that source of income is mainly derived from the rent of eel weirs, amounting to 2,200*l.* a year; but for reasons which I will state to the Committee in a moment, that is not a certain source of income; on the contrary, there is a possibility that it may be very largely reduced. The next column shows the tolls, and the average of those for five years ending 1st April 1893 is 1,752*l.* Then in the next column are certain sundries which represent a very small source of income, unless on some special occasion, when there has been a sale of land or something of that sort. Then the total income for each year is given. Then, if you look at the other side, you see in the first column "maintenance," that is the annual expense of maintaining the navigation, and then the next column is headed "Clare Castle." Clare Castle represents some works carried out at Clare Castle on the Shannon by means of a loan from the Treasury, and those items represent the annual repayment in respect of those works which will expire in 1910. The payment last year amounted to 450*l.* 19*s.* 2*d.* The next column is "Salaries," followed by "Sundries," and then the "Total." If you carry your eye to the extreme right, you see in red ink the "Balance," that balance in red ink shows the overdraft at the bank in each year. If you look at the left-hand corner, where the account begins, you will see "cash overdrawn 1st April 1888, 3,478*l.* 19*s.* 10*d.*" The income of the Commissioners has allowed them to reduce that overdraft till at the commencement of this year it had been reduced from 3,478*l.* to 945*l.*; and in the course of the present year that overdraft will be removed altogether. The effect of the Board of Trade Schedule on the position of the Commissioners would be this, the Board of Trade has taken a figure slightly below the actual rates now charged. You will find on page 14 of the Provisional Order that those rates are below the actual figures now charged, and the result of adopting those rates would be to cause on the lower navigation, that is on the part of the navigation between Shannon Harbour and Limerick, a loss of between 250*l.* and 300*l.* a-year. It is true that those rates are somewhat higher than the rates actually charged on the upper navigation, a very little higher; but owing to the very small traffic and the necessity of encouraging it as much as possible, the Commissioners feel they could not properly increase the rates upon that part of the navigation. If our present condition continues we should be able to stand that reduction, and still remain solvent; but then our present condition depends upon two things, first, on the continuance of the rents from the eel weirs; and secondly, on there being no increase in the average expenditure. I am afraid on both points we are obliged to submit to the Committee a rather unfavourable ontlook. The Commissioners are advised by their engineer that a considerable increase in the expenditure or maintenance will be necessary within the next few years; and with regard to the eel weirs they are in this position, the legality of the eel weirs or some of them has been challenged, an inquiry is now going on by the Inspectors of Fisheries in Ireland with regard to the eel weirs; if the Inspectors of Fisheries should determine that the eel weirs should be abated or reduced, there would be a corresponding reduction in the income of the Commissioners from that source, and the result would be, coupled with this Schedule by the Board of Trade, that the navigation would or might become insolvent. If the navigation becomes insolvent there are only two alternatives open, either the navigation must be abandoned or Parliament must find the necessary funds. It is not the desire of the Commissioners to have to apply to Parliament for the purpose, but that is the only alternative open to them. That being the case the position of the Commissioners was this; they thought that they ought to appear here, and lay these facts before Parliament so that in legislating upon the subject Parliament should understand that if a deficit

ficit did arise it can only be met out of the public expenditure. The case of the navigation I think is entirely exceptional; so far as I know there is no other case where the navigation is managed in this way by a public department responsible to Parliament, and with tolls actually controlled by the Treasury; and I cannot help thinking that this was not a case that was ever intended by the framers of the Act of 1888. Though nominally it comes within the words of the Act, it might be that under the circumstances of this case the navigation should be left in its existing state; because if we are reduced by these tolls which the Board of Trade have fixed, and to those tolls only, we should have no margin at all in case of any deficiency of income arising. The Commissioners have no intention whatever of increasing their existing tolls, nor could they, without the consent of the Treasury as long as these tolls, coupled with their other sources of income, are sufficient to enable them to maintain the navigation; but they feel that they ought to be in a position, if the necessity arises, to increase the tolls within their existing maximum charges.

Chairman.] What is your existing toll, so that I may compare it with the Schedule of the Board of Trade?

Mr. *J. D. FitzGerald.*] Existing tolls are very difficult to compare with the Board of Trade, but I can state roughly what the existing toll is. The existing toll on slates, coal, pig-iron, and similar material is ½*d.* per ton per mile, and on all other merchandise 1*d.* per ton per mile, but subject to this limitation, that the maximum toll for any distance is not to exceed 2*s.* 6*d.* per ton; that is, taking 30 miles; about the maximum run from Shannon Harbour to Limerick, it is a 29¾ miles toll. Then, your Grace, there is a boat-load rate for lime, manure, stone and similar articles of 2*s.* 6*d.* for every 10 miles, with a limitation not to exceed 4*s.* for any distance; and then, further, there is a lock toll for empty boats 1*s.* for each lock, and for a swivel bridge 2*s.* 6*d.* That is a summary of existing tolls, but the actual rates charged are very much less.

Sir *William Houldsworth.*] These are the maximum tolls that you have been giving us?

Mr. *J. D. FitzGerald.*] Yes, under the Act.

Sir *Richard Paget.*] What are the actual tolls?

Mr. *J. D. FitzGerald.*] They are framed in this way, what are called station to station. I do not think I can give them to you except by putting in a large statement. A certain toll is charged from Shannon Harbour to Killaloe and from Shannon Harbour to Limerick, and from Shannon Harbour to Athlone, and from Athlone to Kerrick-on-Shannon.

Sir *William Houldsworth.*] Are they less than the maximum tolls?

Mr. *J. D. FitzGerald.*] Very much less.

Lord *Clifford of Chudleigh.*] Have you in your amendments any translation of existing tolls?

Mr. *J. D. FitzGerald.*] I am coming to that. I was about to say that the Commissioners felt as a public body that they might very probably be left alone being under the control of Parliament; and your Grace probably knows that in the present Session the Manchester Ship Canal, which is quite an exceptional instance, but technically comes within the language of the Act of 1888, asked that they should be exempted from this portion of the provisions of the Act of 1888, and the Board of Trade has relieved it from any Schedule.

Chairman.] The Manchester Ship Canal is not on all fours with this.

Mr. *J. D. FitzGerald.*] No; but there are exceptional cases which do fall within the actual language of the Act of 1888; they are not cases intended to come within it.

Chairman.] We have had cases of that kind.

Mr. *J. D. FitzGerald.*] The Commissioners felt that in order that the Committee might have something definite before them they ought to prepare a Schedule in the same form and lay it before the Committee; they have done so, and that Schedule is prepared in this way. It takes the existing maximum tolls, calculating that practically 30 miles is about the longest run on the canal; the tolls are calculated so as to give about the existing maximum for a run of 30 miles. If the Committee were to adopt this Schedule it would practically leave the Commissioners in the same position as they are now in; that is to say, they would have the same rights of charging maximum tolls. They have, of course, no intention of altering the existing rate, nor could they do so without the consent of the Treasury. What they desire to do is simply to put these facts before the Committee. I will call one of the Commissioners to explain the matter fully, and suggest that if the Committee think, for the sake of uniformity, a Schedule should be drawn up in these cases and passed in the Provisional Order it should be a Schedule of that kind leaving them in the same position as at present.

Chairman.] I have before me the Schedule that you propose.

Mr. *J. D. FitzGerald.*] Yes, the only other matter is that from 1838 to 1889 the total contribution from the Public Exchequer to the Shannon Navigation, which has not been refunded, was 592,000*l.* odd.

Mr. *Whitehead.*] Can Mr. FitzGerald explain how much of that is for drainage purposes and how much for the purposes of navigation?

Mr. *J. D. FitzGerald.*] I cannot give you that. You must ask that of the witnesses.

Then there are two Petitions against the Order, one from the Grand Canal Company and the other from Messrs. Guinness and Company, of Dublin. Messrs. Guinness and Company send large quantities of porter by the Grand Canal and Shannon Navigation to Limerick and elsewhere, and they are also carriers themselves. The Grand Canal Company in addition to being a canal company are general carriers, and they are the principal carriers on the Shannon Navigation. What both these petitioners desire is that there should be two scales, a scale applicable to the Lower Shannon and a scale applicable to the Upper Shannon, and that the scale for the Upper Shannon should be very much less than the

the scale proposed by the Board of Trade; but I do not think I need go further into the matter at present, because the substantial question is whether, under the peculiar circumstances of this case, the navigation ought not to be left in precisely the same circumstances as at present.

MR. RICHARD O'SHAUGHNESSY, called in; and, having been sworn, is Examined as follows:

Mr. *J. D. FitzGerald.*

7604. You are one of the Commissioners of Public Works in Ireland?—Yes.

7605. Is it correct, as I stated to the Committee, that the Shannon Navigation is vested in your Board by Act of Parliament?—Yes.

7606. And under the Act to which I have called the attention of the Committtee, any alteration in the rates charged upon the navigation requires the assent of the Treasury?—Yes.

7607. Do you for the maintenance of the navigation depend upon your annual income?—Yes.

Chairman.

7608. If any alteration has to be made with the assent of the Treasury, what happens to our proceedings here? Because we alter the rates, do they require to be put before the Treasury?

Mr. *J. D. FitzGerald.*

7609. You alter the rates by Act of Parliament, and that overrides the Treasury. At any rate, you alter the maximum rates; the assent of the Treasury would still be necessary if the Commissioners wished to alter the actual rates, but by Act of Parliament you substitute one set of maximum rates for another.

Chairman.] If we decide to settle the rates, before they can have any effect, do they require the assent of the Treasury?

Mr. *J. D. FitzGerald.*

7609. No, all that this Committee would do would be to authorise certain maximum rates that would repeal the existing maxima. Then if the Commissioners desire within the maximum rates granted by the Committee to make any alteration in the actual rates they must get the assent of the Treasury. (To the *Witness.*) You depend for the maintenance of the navigation upon your annual revenue?—Yes.

7610. And if the receipts fall to any considerable extent below the expenditure, might an application to Parliament be necessary?—Yes, an application to Parliament might be necessary; and it is because an application to Parliament might be necessary that the Board of Works has been directed by the Treasury as one of its branches having charge of this, to appear here and lay before the Committee the possibility that if a deficiency arose upon this navigation it would either become necessary to obtain a vote for it or to neglect it; and the Treasury have wished it brought under the notice of the Committee. When the Board of Trade first came into communication with the Board of Works in connection with the submission of a Schedule, the Board of Works took the advice of Counsel as to whether this navigation came within the Act. With some doubt Counsel advised that it did; thereupon it became the duty of the Board of Works like any any other owner

Mr. *J. D. FitzGerald*—continued.

of a navigation to send in their Classification and Schedule, and they did so.

Chairman.

7611. Do I understand that they took it before the Law officers?—It was first taken before Irish Counsel, and subsequently the Treasury officials consulted the Law officers, and after considerable inquiry they held that this navigation did virtually and literally come under the Statute. The suggestion of the Treasury is, whether it was intended that they should come under it, and whether, if there be any doubt of the intention of Parliament on the matter, this Committee would not take some such action as would leave the matter open, inasmuch as throwing us under the Schedule proposed by the Board of Trade might lead to a deficit, because it does involve a serious reduction, which would necessitate an appeal to Parliament for assistance.

Chairman.] I do not see that the Committee can leave the matter open. We must decide one way or the other.

Witness.] Except by striking out the Schedule affecting us. That your Grace and the Committee could do, or you could pass the Schedule which we submitted, and which would secure us. It is drawn after the analogy of our present Schedule, and would secure us ample tolls; that might be adopted. Either of these two cases I am directed to submit is open to the Committee if they should consider it desirable.

Earl of *Lauderdale.*] You desire either to be left as you are, or to take your own Schedule to prevent a deficit?

Witness.] Yes, remembering always that supposing you leave us as we are, we cannot raise the tolls without the permission of the Treasury. Our present tolls were fixed in the year 1873, and in the year 1882 we thought it right to seek to raise the tolls, though not very much. Then the Treasury, not seeing any absolute necessity for it, declined to do so.

Chairman.

7612. Supposing we adopted your Schedule, then, if you wanted to avail yourselves of the figures we have given you, you cannot do it, as I understand you, without the consent of the Treasury?—That is a question of law, but, if there be any doubt upon that subject it would be my duty to have the consent of the Treasury made necessary. In the first place we should not think of doing it in practice, and in the second place I will undertake to say there shall be an amendment making the consent of the Treasury necessary to any increase of our present actual tolls.

Mr. *J. D. FitzGerald.*

7612*. The provision of the Act of 1839 would not be affected, and the consent of the Treasury would still be necessary, but that can be made plain by inserting words to that effect in the Schedule. (To the *Witness.*) As regards your income, as this Table shows, at the present moment you are able to pay your way, and also to reduce the overdraft?—Yes.

7613. Does your income very largely depend upon the rents from the eel weirs?—Our income depends upon them to the extent of 2,200*l.* a year, out of an income for that year 1892–93 of 5,149*l.*; our income depends upon the rent of the eel weir to the extent of 2,200*l.*

7614. That is included in the first column, under the general head of "Rent?"—Yes.

7615. What is the present position of the eel weirs?—The present position is that the Irish Fishery Commissioners are to-day, and for the last two or three days, and will be for the next two or three days holding an inquiry into the legality of our eel weirs as they now stand. They allege that we or our lessees have been extending these eel weirs, making them larger, so as to catch more fish, and interfere with other fishing more than the law entitles us to; and if that question is decided against us undoubtedly our receipts from the eel weirs will be very considerably diminished.

Sir *William Houldsworth.*

7616. If it is decided against you, I gather from the last six months' items that your rents are increasing, because, unless that one part of the year's receipts is greater than the other, if you double 1,647*l.* it makes 3,300*l.*?—I understand that does represent a larger amount than one-half year's rent; but our accountant is here and could give you an explanation about that.

Mr. *J. D. FitzGerald.*

7617. In order to maintain your present financial position there must be no increase in the expense of management?—No.

7618. What is your position with regard to that?—Our position with regard to that is, that our engineer has told us that he considers our expenditure on pure maintenance has not been quite adequate for some little time past, and that in the near future we may look forward to a considerably increased expenditure upon maintenance. Then there is an item that should not be lost sight of in dealing with a navigation like this. We are always liable, notwithstanding all your care, to have bursting of the bank, at some remote time we had something of that kind, and it involved our predecessors in very great expense, and it may occur again.

7619. You have about 17 miles of canal, have you not?—Yes.

7620. The principal canal being between Killaloe and Limerick?—Yes.

7621. With a possibility of the railway competition reducing the traffic?—The Grand Canal Company, which is our principal customer, has increased its business very much of late; it has been able to compete with the railway companies very well, and no doubt as long as it is under the present management it will maintain its traffic; but if there was any change in the present management you cannot tell what vicissitudes may reduce the traffic upon the canal, and we must face that element of possible reduction of income also. Then there is another item of 500*l.* We lately handed over, not gratuitously, but subject to certain rents, certain stores and workshops which we have in Limerick which were necessary for our workmen and for the management of the canal; we handed them over partly to the Grand Canal Company and partly to Messrs. Guinness and Company at a rent. We shall have to build offices and stores in some other place. We shall do it very cheaply at a cost of 400*l.* or 500*l.*, but it would create a small new overdraft if we provide it.

Mr. *J. D. Fitzgerald.*—continued.

7622. Have you been advised by your officers that if the Board of Trade Schedule is adopted it will cause a decrease of income on the southern portion of your navigation of between 250*l.* and 300*l.*?—Yes, we have been informed by the inspector who deals with the navigation, and I have a summary of figures showing it here that the effect of 0·45*d.* and the other figures in the Board of Trade Schedule would be to cut down our receipts on traffic going into Limerick and traffic going out of Limerick by about 250*l.* or 300*l.* a year. It is true that the Schedule of the Board of Trade would enable us nominally to make up for it by charging very high rates upon the northern portion of the river; but if we charged very high rates upon the northern portion of the navigation from Athlone up, we should never see a boat upon the navigation: therefore we have to charge extremely low rates in order to create the traffic there, and we are doing it by the enterprise of the Grand Canal Company.

Sir *Richard Paget.*

7623. How much would your loss be?—We put it down in round numbers at 250*l.* a year; it would be a little more. It would be a loss out of the income from tolls running from 1,628*l.* to 1,831*l.*, so that it is a large item out of small income.

Mr. *Richardson.*

7624. Why did you dispose of this company to the Grand Junction Canal and Guinness's if you have to incur fresh liability for the fresh accommodation?—The Grand Canal Company and Messrs. Guinness and Company found they could not conduct their business, and that they would not be able to compete with the railway companies unless they got the accommodation; and in order to assist that traffic and for the good of the navigation we handed them over the stores under the conditions I have described.

Chairman.

7625. You told us that you got certain powers, but did not act up to them?—Yes.

7626. I want to compare what you do actually charge with the maximum proposed to be given you by the Board of Trade?—I understand your Grace's question to be to compare our present actuals with the Board of Trade Schedule. Our present actuals where our traffic is good would be a little higher; we calculate that the Board

Chairman—continued.

Board of Trade Schedule, and the adoption of the Board of Trade Schedule would involve us in a loss of 250*l.* or 300*l.* a year. Our present actuals where our trade is bad, I suppose is, I should say, only about one-third or so, though that is the extreme north of the river, or, at all events, it is a great deal lower than the Board of Trade Schedule, and if we attempted to raise it and avail ourselves of that given by the Board of Trade Schedule, we should simply kill the trade.

Mr. *J. D. FitzGerald.*

7627. Practically the loss you make upon the southern part of the navigation is a nett loss?—Yes, we regard it as such.

7628. You have hitherto carried on business as this acccount shows by taking a temporary overdraft from the bank if necessary?—By taking temporary overdraft from a certain fund at our disposal. It is not a very regular thing to do, but we have been in the habit of doing it. There are certain funds at our disposal not being funds provided by Parliament or entrusted to us for the purpose of a loan, and we have been in the habit with the knowledge of the Treasury, and the sanction of the Treasury, of meeting our deficit by an overdraft upon those funds.

7629. If this Schedule of the Board of Trade is adopted would you be justified in continuing that course, there being no margin for increasing your income?—At best what we are doing is an irregular thing; we have no right to accumulate these monies for any purpose, but it would become far more unreasonable if for the future the law was to be that we were not to be at liberty to increase our rates; that our rates are in future to be only the actuals laid down by the Board of Trade. And beside those funds from which we obtain our overdraft a change in the administration may take away from us to-morrow, and it may be transferred to another Board. The maintenance of a system of overdraft is one which in the opinion of the Board and the Treasury ought not to be extended?—No greater risk than exists at present ought to be incurred in regard to it.

7630. In the possible event of a difficulty occuring after the Schedule is passed, you would be in the position indicated of letting the Navigation go to the bad, or have to apply to Parliament for further funds?—Yes.

7631. The Schedule that you have prepared as the amended Schedule, is it prepared upon the basis of preserving your existing maximum?—We did not know in the first place that the Board of Trade wanted to have a uniform classification adopted all over the canals of the three kingdoms, and we attempted to use our own classification under the Act of the 2 & 3 Vict., and we attempted to apply to our old classification, as we could do without the smallest difficulty, the maximum which we were allowed under the 2 & 3 Vict. We sent that to the Board of Trade; they told us it was necessary to adopt the ordinary classification; we did so, and the principle upon which we went was to try and apply our own existing maxima under the

Mr. *J. D. FitzGerald*—continued.

2 & 3 Vict. to the new classification which we adopted by direction of the Board of Trade. In doing that the items crossed each other; it became very difficult to do it, and the Schedule laid before the Committee represents the best attempt we could make to settle the matter. There are some items in which the maxima are undoubtedly higher than they would be under the 2 & 3 Vict.; but then, what we say to that is, our maxima under that are of very little importance. because we cannot raise our actuals without the permission of the Treasury. and the Treasury will not allow us to avail onrselves of any maxima unduly.

7632. You have explained most of the matters in connection with this Schedule to the Committee; what you desire is to be left in your existing position?—We submit our Schedule to the Committee, and by the direction of the Treasury we raise the question whether the Committee would think it wise that our actuals should be cut down in such a way as to create the necessity of going to Parliament for works of maintenance and management. We venture to put this. We are not in antagonism to the Board of Trade. They did what they felt themselves bound to do having regard to the policy of the Act. As I understand, they said they were bound to regard actuals as maxima, that they were not going to allow people something above what is the fair actual and should take the proper actuals as maxima. We said that is a fair thing to do with a company who is trading for the earning of profits, but it is scarcely a wise thing to do with a company merely trading for the purposes of maintenance and management, because when you do get a body of Commissioners trading and owning a canal for the purposes of maintenance and management, if their actuals are insufficient for maintenance and management, where are they to get the deficit? We endeavoured to draw a distinction between a body trading for profit and a body trading merely as trustees for maintenance and management, and that distinction the Treasury desires to press.

7633. With the additional distinction that you are under Parliamentary control?—Yes; but we do not desire to press upon the Committee the adoption of that Schedule. The adoption of any course that will leave us as we stand under Taeasury control, or which will leave the matter open to be deal with hereafter, we will adopt.

Chairman.

7634. We are in this position; we must either accept or pass the Schedule of the Board of Trade, and if we do not do that, we must prepare some other; and if you have no Schedule to propose, what are we to do?—We have proposed that Schedule.

7635. I understand you withdraw it?—Only if the Committee preferred some other course to be taken, but we place that Schedule before you to be adopted.

Chairman.] Who opposes?

Mr. *Whitehead.*] I shall have a great many questions to ask this gentleman. I appear for

the Grand Canal Company and Messrs. Guinness and Company Limited.

Chairman.] You appear to oppose the proposals of the Commissioners?

Mr. *Whitehead.*] Yes, and to propose another scheme of our own upon the higher part of the navigation.

Chairman.] As against the Schedule of the Board of Trade?

Mr. *Whitehead.*] Our amendment is to be the actual tolls upon the upper part of the navigation, and leave the Schedule of the Board of Trade for the other part.

[*The following Table is delivered in:*—]

Ordered, That this Committee be Adjourned to To-morrow, Half-past Eleven o'clock.

SHANNON NAVIGATION.

STATEMENT of Receipts and Expenditnre from 1st April 1888 to 31st October, 1893.

Cash Overdrawn—
1*st April* 1888, 3,478*l.* 19*s.* 10*d.*

Year.	RECEIPTS. Rent.	Tolls.	Sundries.	Total.	Details of Sundries.		EXPENDITURE. Maintenance.	Clare Castle.	Salaries.	Sundries.	Total.	Details of Sundries.		Balance.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.
1889-9 -	2,954 14 1	1,738 1 4	177 9 8	4,870 5 1	Sales, Refunds, &c. -	177 9 8	1,976 14 6	507 4 5	1,280 17 1	796 11 8	4,561 7 8	Compensation, &c. -	645 11 8	*3,170 2 5*
												Refund of Taxes -	151 - -	
1889-90 -	2,785 9 8	1,754 17 4	594 13 2	5,135 0 2	Sales - - -	162 15 2	1,803 - 10	495 19 3	1,207 7 9	477 11 9	3,983 19 7	Compensation - -	165 - -	*2,019 1 10*
					Purchase of Land -	416 17 6						Purchase of Land -	279 11 5	
					Refunds - - -	15 - 6						Refund of Taxes -	33 - 4	
1890-91 -	2,648 3 8	1,807 9 8	6 1 2	4,461 14 6	Sales, Refunds, &c. -	6 1 2	2,508 - 10	484 14 5	1,134 6 -	1,085 3 6	5,212 4 9	Grant Foynes Harbour.	1,000 - -	*2,769 12 -*
												Law Costs, &c. -	85 3 6	
1891-92 -	2,194 7 3	1,628 18 8	16 7 3	3,839 13 2	Sales, Refunds, &c. -	16 7 3	2,294 7 3	473 9 7	1,146 9 1	—	3,914 5 11			*2,844 4 10*
1892-93 -	2,792 14 -	1,831 8 5	525 8 9	5,149 11 2	Sales, Refunds, &c. -	25 8 9	2,371 11 9	462 4 1	1,131 16 7	- 9 9	3,966 2 2	Refund of Tolls -	- 9 9	*1,660 15 10*
					Shannon Drainage -	500 - -								
1st April, 1893, to 31st Oct., 1893.	1,647 19 3	1,392 13 7	9 0 8	3,049 13 6	Sales, &c. - -	9 - 8	1,167 18 1	450 19 2	715 2 11	—	2,334 - 2			*945 2 6*

Die Veneris, 20° *Julii*, 1894.

PRESENT:

Duke of RICHMOND AND GORDON.	Sir WILLIAM HOULDSWORTH.
Earl of LAUDERDALE.	Sir RICHARD PAGET.
Lord CLIFFORD OF CHUDLEIGH.	Mr. JOSEPH RICHARDSON.
Lord HAWKESBURY.	Mr. SPICER.

HIS GRACE THE DUKE OF RICHMOND AND GORDON, K.G., IN THE CHAIR.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 1) BILL.

(CANALS OF THE GREAT NORTHERN AND CERTAIN OTHER RAILWAY COMPANIES.)

Mr. *Cripps.*] A VERY small point has arisen on the Trent Navigation. I am for the Great Northern Railway Company. We say the matter has been settled. My learned friend Mr. Lewis Coward wants to mention it to your Grace. Speaking for the Great Northern Railway Company, I may say that we were told to be here at this time because the Trent Navigation wished to make an application.

Mr. *Lewis Coward.*] Your Grace may remember that in the case of the Trent Navigation, there was a point that stood over with regard to the Nottingham Canal and the powers of the Great Northern Railway Company.

Mr. *Cripps.*] Nothing stands over, because I have got here under the head of "Canals of the Great Northern Railway Company" what your Grace says: "The special toll for the Beeston Cut is passed and accepted by this Committee."

Mr. *Lewis Coward.*] My learned friend Mr. Cripps was not here during the discussion. I am sure this is not an unreasonable application. Your Grace will remember that the River Trent is upon the left of the map, and the blue is the Beeston Cut. In the year 1793 this was the agreement, that for all through traffic that went in at the Beeston Cut and went over and along the Beeston Cut and then on the Nottingham Canal, which is the property of the Great Northern Railway Company, the charge for each boat should be a maximum toll of 1*s.*, an exceptionally low toll. The Great Northern Railway Company, when they came forward with their Schedule for the Nottingham Canal, sought to repeal that shilling, and it was ordered to stand over pending the case of the Trent Navigation. When the Trent Navigation case was concluded the Nottingham case came forward for consideration and the Great Northern Railway Company said, "We wish to repeal the shilling toll and to be allowed to charge the mileage tolls in the shilling," and Mr. Balfour Browne said as to one of the reasons why it should be repealed, this, at page 353 of the Minutes of Proceedings, "We thought, as our canal went through Nottingham, a great portion of the goods would be unloaded in the canal for Nottingham, and if that had been the case, of course the one shilling a boat would not be exactable, but the high tolls of the Nottingham Canal. Unfortunately, however, they had made a wharf lower down on the River Trent; they pass from Lenton Junction over our canal, and load and unload all the goods for Nottingham off our canal, and so get the benefit of the shilling toll," and he said it was an evasion and that they were jockeyed with my offer, which was that certainly they should have the benefit of their long mileage, and that though these goods were landed off the canal but on the Trent all goods for Nottingham should remain in the same position, namely, that there should be no evasion. This is what I said at page 353: "Mr. Pelham has suggested that with regard to the question of evasion, which I mentioned to your Lordships, if the traffic were carried down and unloaded upon the Nottingham length of the canal to avoid payment, he suggests that it might be proper to exclude the goods landed or unlanded in the Borough of Nottingham, that then they should pay the full toll if landed from the Trent. On the whole I would rather that the Trent Navigation should give me the water in connection with the boat; but if they will not do that, it does go to meet one of my objections, which was, that by means of this exemption they evade the payment of tolls and then land the goods in the Borough of Nottingham to evade payment. (M. *Lewis Coward.*) I have gone so far as I can. I will agree to that. (Mr. *Whitehead.*) I should like to understand this. As I understand, at the present time if traffic comes up the Beeston Cut, and is unloaded in the Borough of Nottingham, it pays the ordinary tolls, if it is within the Borough of Nottingham on the River Trent.

(Mr. *Balfour Browne.*) As I understand, the Act of Parliament says nothing of the sort; it says: 'shall not load or unload goods on the said intended canal.' You get off the canal on to the River Trent and unload there. (Mr. *Whitehead.*) The traffic in which I am interested is mainly through traffic. If I understand my learned friend aright, on that through traffic which is not unloaded in Nottingham at all, he proposes to preserve the shilling minimum boatload toll. With that I am content. (*Chairman.*) Then you are all content? (Mr. *Whitehead.*) If that is made clear in a clause. (Mr. *Pelham.*) May I make it clear? When goods come on to the Beeston Lock, if they go right through, having begun on the Trent, and go down the Trent to the lock, they get the benefit of the shilling exemption; but, at the present moment, if they are landed at any place on the Nottingham Canal they have to pay the full Nottingham mileage toll; it is said that there is a *quasi* through traffic, but it is not *bonâ fide* through traffic, and it goes down the Nottingham Canal, and is loaded within the Borough of Nottingham, just outside. These people say we at present enjoy the benefit of that shilling low toll. I propose that that traffic in the future should not have it, but should pay the full mileage toll on the Nottingham traffic. Through traffic which goes right away beyond Nottingham will still have the benefit of the shilling. (Mr. *Balfour Browne.*) We are all agreed. The words must be brought up, and we will make it clear that it is to apply to all traffic landed in Nottingham or unlanded." I hope the Committee understand that, as far as it has gone; a shilling minimum only to catch the traffic which is for Nottingham, but which is included in the River Trent, my learned friend says is not fair. Now the Clause brought up by the Board of Trade is this: "Notwithstanding anything in this Schedule, where a boat, whether conveying merchandise or empty, passes from the Beeston Cut belonging to the Trent Navigation Company over the Nottingham Canal and into the River Trent at Sneinton Meadow or *vice versâ*, the maximum tolls shall not exceed the sum of one shilling per boatload, or one shilling for such empty boat, as the case may may be, provided that such boat does not load or unload any merchandise at any place upon the Nottingham Canal, or at any place within the Borough of Nottingham on the River Trent." Now we contend that this clause goes very much further than the agreement made with Mr. Balfour Browne, because it would do this, it would make all through goods which are merely transhipped upon the River Trent within the Borough of Nottingham pay a mileage toll instead of a shilling. And I will tell you how that comes about. Down as far as Beeston and through to where we go out at Sneinton there are certain narrow boats, but when they get on to the Trent to go down to the Humber, this traffic is transhipped into bigger boats; and it is said that the whole of that through traffic which is not traffic for Nottingham should pay. Mr. Balfour Browne said goods for Nottingham; and we are agreed that those are loaded in the Trent, but they are for Nottingham, and they evade the toll. I will prove that there is an enormous quantity of this through traffic which is simply transhipped from a light boat to a heavy boat; and the company come here to-day and contend that under this clause as drawn loading or unloading was meant to include the whole of that through traffic. Mr. Pelham, in the last few lines, says: "Through traffic which goes right away beyond Nottingham will still have the benefit of the shilling"; it will not, according to this clause as submitted to the Committee unless the Committee put in such words as these at the end of the clause, "except for transhipment on the River Trent." That would meet the point exactly. The reason why we have not brought this forward before is that we have had negociations with the railway company, and I regret to say that the attitude of the railway company is not satisfactory, from our point of view, and I hope will not be considered satisfactory by the Committee. We have endeavoured in every way to agree with them, but this is the reply of the Great Northern Railway Company: "July 18th. Dear Sir,—With reference to our interview of yesterday, we think that having regard to the amount of water" (the Committee will remember there was a question of water, and I said I could not give way upon that point) "which we lose upon the passage of the Beeston Cut, and also to the general change of circumstances since the partial exemption from toll was granted the clause proposed by Mr. Pope which applies to all traffic loaded or unloaded within the borough of Nottingham is a fair one." That is not the point. The question is, what is agreed with Mr. Balfour Browne? I believe the traders take exactly the same view as I do, and I am confirmed in that by the Minutes of Evidence which I read to your Lordships. I say traffic for Nottingham was what was intended by the agreement. I will put in Mr. Rayner, the engineer, to tell the Committee what a serious thing it is for us.

Chairman.] Did you, or did you not, agree to the clause when it was brought up by Mr. Pelham?

Mr. *Lewis Coward.*] We did not agree with it. Mr. Pelham did not read the clause to the Committee; but he said, "I will put it upon the minutes"; that is all that I am instructed took place.

Mr. *Pelham.*] I think that is the case; but the question now is whether what was settled is carried out by the clause which the Board of Trade submitted. The Board of Trade put it upon the Minutes in order that either party might object and bring it up before the Committee.

Mr. *Cripps.*] In reference to my learned Mr. Lewis Coward calling a witness, I am content to take it as he says. It is a question whether the clause carries out the agreement. No witness can deal with that point. The question is, what is agreed between my learned friends Mr. Balfour Browne and Mr. Louis Coward. Mr. Lewis Coward has stated his view and we will state ours. It is not a question of evidence; it is a question whether this clause carries out the agreement or not.

Mr. *Lewis Coward.*] There is a large transhipment

ment from the narrow boats to the large boats; do you admit that?

Mr. *Cripps.*] I admit there is traffic. The question is, whether the agreement between Mr. Balfour Browne, Mr. Lewis Coward, and Mr. Whitehead is carried out in the clause. Mr. Whitehead wishes to say a word upon behalf of the traders; perhaps it would be desirable that he should do so now. It is not a question of evidence, but of what passed upon the Notes.

Chairman.] We will hear the witness as to the case of transhipment.

Mr. *Cripps.*] The question was apart from evidence. It was an agreement between Mr. Balfour Browne and Mr. Lewis Coward before the Committee, and we were to bring up a clause drafted by Mr. Pelham in the first instance to carry out the arrangement. I thought the question was whether the arrangement had been carried out.

Sir *William Houldsworth.*] The misunderstanding arises upon the point of transhipment.

Mr. *Cripps.*] There is no misunderstanding upon this, because some traffic is transhipped, I will take it. In regard to the exact amount, nothing turns upon that. Both parties knew there was transhipment traffic.

Chairman.] We must hear the evidence.

MR. FRANK RAYNER, is re-called; and further Examined, as follows:

Mr. *Lewis Coward.*

7636. YOU are Resident Engineer of the Trent Navigation Company?—Yes.

7637. Has the Trent Company wharves in the Borough of Nottingham on the River Trent just below Sneinton Lock?—Yes.

7638. Does the River Trent below Sneinton Lock during a certain portion of the year have through goods transhipped from the small craft in which they have come down the river and from the other canal into larger craft suitable for river carriage?—Transhipment takes place during a greater part of the year.

7639. At that spot?—Yes.

7640. Because the small craft are not suitable for the purposes of the river?—Yes.

Sir *William Houldsworth.*

7641. You say part of the year; is that owing to the fact that they have to use smaller boats owing to the want of water?—It is due to several causes. One is that the large boats cannot go through the small locks upon the up-country canals, and in the summer-time it is not usual to bring the Hull trade in boats above Nottingham; it depends partly upon the water and partly upon the size of the canal.

7642. You were in the room when Mr. Pelham stated: "Through traffic going right away beyond Nottingham will still have the benefit of the shilling"?—Yes.

7643. Did your company agree to the compromise which Mr. Balfour Browne suggested?—Through traffic would have the benefit of that shilling.

Mr. *Cripps.*] The compromise is on the Notes itself.

Chairman.] Is it your point that the goods, though they are transhipped, still are through traffic.

Mr. *Lewis Coward.*

7644. Yes, and not for Nottingham; and all goods which should be loaded or unloaded on the River Trent which are for Nottingham; we must not evade that. The evasion took place in the River Trent, and not upon our canal. (To the *Witness.*) As the clause is drawn it has caught the whole of the through traffic, and the result would be disaster to the bye-traders 350 per cent. of their increase, would it not?—That is so, 350 per cent.

Chairman.] That is assuming that the traffic, though transhipped, is still through traffic?

Mr. *Lewis Coward.*] Yes; supposing it is loaded or unloaded within the meaning of the clause.

Chairman.] It must be taken to be put out of one class and brought into another class.

Mr. *Lewis Coward.*] Yes.

Chairman.] The fact of its being unloaded cannot prevent it being through traffic?

Mr. *Lewis Coward.*] No.

Sir *William Houldsworth.*] I understand that instead of the words in the proposed clause "load or reload," this traffic is unloaded and then reloaded.

Mr. *Lewis Coward.*] It should be "unloaded."

Sir *William Houldsworth.*] It is not traffic; that is one of two things, either loaded or unloaded, but it is first of all unloaded and then loaded.

Witness.] Loaded into another boat.

Mr. *Lewis Coward.*

7645. If this clause contained simply these words "for delivery in the Borough of Nottingham" it would be sufficient?—Quite.

Sir *William Houldsworth.*

7646. Is this a large traffic?—It is a fairly large traffic and may in the future become a very much larger traffic.

7647. That is the through traffic which is transhipped?—Yes.

7648. Can you give the proportion?—About 25 per cent. of the through traffic, taking the up and down traffic, is transhipped at Nottingham.

Mr. *Lewis Coward.*

7649. At the company's wharf, but immediately below the junction of the Nottingham Canal with the River Trent?—And that is only the Trent Company's own traffic.

 7650. That

Sir *William Houldsworth.*

7650. That is only for a certain part of the year?—It is mostly limited to a few months.

7651. Taking it over the year it is about 25 per cent. of the total traffic?—Yes.

Mr. *Lewis Coward.*

7652. With regard to that, if delivered at Nottingham, you are willing that the company should pay the mileage toll?—Yes.

7653. Which mileage toll has been compiled in the ratio of 4*s.* to 1*s.* on a boat-load of 38 tons?—Yes.

Cross-examined by Mr. *Cripps.*

7654. I understand that this traffic you referred to is not loaded or unloaded at any place upon the Nottingham Canal but transhipped from one boat to another?—It is transhipped. Technically it is both unloaded and loaded.

7655. Is it merely put on to the wharf or loaded from one boat into another?—The great bulk does not go on to the wharf, but only from one boat to another.

7656. As regards loading from one boat to another, we neither ask nor desire that this clause should cover it?—We understand that as the clause stands it would affect the traffic. The words used when it was under discussion were "landed or unlanded."

7657. We will take the words "landed or unlanded?"——

Mr. *Pelham.*] I think that would be a good suggestion.

Mr. *Lewis Coward.*] "At Nottingham."

[The Witness is directed to withdraw.

Mr. *Whitehead.*] The facts with regard to this are perfectly clear to the Committee, and really I must only remind them of what took upon the 5th of July; I was then interested in the through traffic, as I informed the Committee. Through traffic owing to the difference of guage between the two waterways must be transhipped unless coming from a narrower on to a broader canal where small boats can go along, but all the through traffic coming up in broad boats must necessarily be transhipped. When the matter was under discussion as to the traffic in which I am interested, mainly through traffic, Mr. Pelham said, "through traffic which goes right away beyond Nottingham will still have the benefit of the 1*s.*," and with that I am content, it covers the claims of my clients, and I understood when Mr. Balfour Browne said "we are agreed" that it was settled. Under these circumstances it has been pointed out to the Committee that the clause as settled by the Board of Trade does not carry out that arrangement, but it was an agreed arrangement. Therefore we propose to add some such words as these to the clause. "Provided always that through goods unloaded for transhipment only shall not be deemed to be loaded or unloaded within the meaning of this Section." Those words we think would make it clear beyond all doubt that goods merely transhipped shall not become liable to this additional charge on the mileage basis.

Mr. *Coward.*] I will accept that.

Mr. *Whitehead.*] I should only repeat myself if I said any more. We think it was settled and agreed to by all parties on the 5th of July; we think the words of the Board of Trade do not carry out the agreement and some such words must be inserted.

Chairman.] Will you read your words again.

Mr. *Whitehead.*] "Provided always that through goods unloaded for transhipment only shall not be deemed to be loaded or unloaded within the meaning of this Section."

Mr. *Pelham.*] You might say after the words, "transhipment only" "on the River Trent."

Mr. *Whitehead.*] Mr. Pelham suggests that after the words "transhipment only" there should be added the words "on the River Trent," so it will read "provided always that through goods unloaded for transhipment only on the River Trent shall not be deemed to be loaded or unloaded within the meaning of this Section."

Mr. *Cripps.*] Speaking on behalf of the Great Northern Railway Company, we never desired or suggested that this concession as regards rate or this burden as regards rate should apply to traffic transhipped from one boat to another. The arrangement made on page 353 of the minutes is very clear. My learned friend Mr. Balfour Browne was for the Great Northern, and he say, "He suggests" (that is Mr. Pelham, I suppose) "that it might be proper to exclude the goods landed or unlanded in the Borough of Nottingham, that then they should pay the full toll if landed from the Trent." That is to say, the higher toll was to apply only when the goods were landed or unlanded in the Borough of Nottingham. The only difference in the Board of Trade suggestion as regards drafting is that instead of the words "land or unland," they use the words "load or unload," and if there is any question as to the words "load or unload" we are willing to accept the words "land or unland;" but there would be this difficulty: that suppose you attempted to apply the term "land or unland" at this wharf there would be the question whether the one charge was to apply or the other, and there would be endless wrangling. In the case of goods transhipped from boat to boat it would be sought to apply the lower charge, but if the goods were landed or unlanded upon this wharf, it would be impossible to apply a different rate of charge; it would involve constant wrangling and discussion. But Mr. Rayner pointed out in the box to-day that of this traffic 25 per cent. was transhipped from one boat to the other. I say it was settled by agreement with my learned friends, Mr. Whitehead and Mr. Coward, and we are not to go back upon the terms of the agreement without re-opening all the case; and, if it is re-opened, I should have to call evidence. The words proposed by Mr. Balfour Browne were "landed or unlanded." Mr. Pelham, who sought to carry out the intention of the parties, put in the words "load or unload." I should have thought that "load or unload" at any place on the Nottingham Canal would have implied "land or unland," and that those transhipped goods would not have been within the one expression or the other; but to make it clear, we will accept the words of Mr. Balfour Browne, "land

"land or unland." It is only a question of carrying out an agreement come to between the parties. Mr. Balfour Browne suggests that it might be proper to exclude goods landed or unlanded in the borough of Nottingham, that they should pay the full toll, and so on. Mr. Coward says, "I have gone as far as I can; I will agree to that." That is, as regards goods landed or unlanded, they want to get the exemption. This transhipment is not on the wharf, it is from boat to boat; in some cases it may be done at the wharf; the transhipment is generally from boat to boat, and the minimum charge that we are asking for does not apply at all.

Chairman.] Do you contend that when goods are taken out of the boat and landed on the wharf, they lose their character of through goods wherever they are going to.

Mr. *Cripps.*] Yes; probably that is a very small proportion, but the difficulty is that if you had a different rate as regards goods landed or unlanded it would introduce a possible difficulty, and there would be wrangling as regards the charge to be made. I should have thought there was no criticism possible on Mr. Pelham's words if properly understood; but, if there is any difficulty, let us take the words we propose, "land or unland."

Mr. *Pelham.*] I think I ought to say it was rather a *casus omissus*. When I drafted that clause the question of transhipment was not before me (I do not know whether it was before the Committee). I think, perhaps, I might remind the Committee that at the present moment the traffic coming on at Beeston and going off again only pays for the Nottingham Canal, coloured red, 1*s*. It was sought to save that, but the Nottingham Canal (that is to say, the railway company) said, That is loaded by wharfing just beyond the Nottingham Canal, and they only pay 1*s*., whereas, if it was done on our canal, they would pay the full rate. So this was a concession given to the railway company from what is existing at the present moment. I am not arguing for or against it, but I am bound to say my idea rather was that for delivery in the borough of Nottingham, or something like that, the goods should pay the full toll if landed from the Trent. If you wish to carry out the views, at any rate, of the Trent Navigation (I do not know whether this meets the views of the others) it should be landed or unlanded for delivery.

Mr. *Spicer.*] Can you give us any information as to the amount of goods that could not be transferred from barge to barge, and which would have to be placed on the wharf?

Mr. *Coward.*

7658. (To Mr. *Rayner*). Can you inform the Committee what amount is actually placed upon the wharf as compared with that which is transshipped?—I am sorry I cannot.

Sir *William Houldsworth.*

7659. Could all the traffic be transhipped from boat to boat; is there any reason why it should not be?—The whole of it cannot be transhipped from boat to boat. Some of it is perishable merchandise, and the boat going forward to Hull may not be there just at the

Sir *William Houldsworth*—continued.

moment perhaps that the traffic coming down in the boat reaches this wharf where we tranship. On one day the boat which is going to take traffic forward may not be at liberty to take it.

7660. In that case you use the wharf as a depositing place for your own convenience?—Yes; it is our wharf.

Mr. *Cripps.*

7661. How often does that occur; that is really the question?—I am not able to say. I regret that the information has not been got out.

Mr. *Coward.*

7662. You are in a position to say it does happen?—Yes.

Mr. *Spicer.*

7663. You are manager of the canal?—Resident engineer.

7664. You are constantly on this canal?—Yes.

7665. What is done at the present time, without going into actual figures; cannot you give us some idea; I take it this is a question of through traffic. If it is through traffic it would naturally be placed in a barge along with other goods going to the same place?—The proportion would vary so very much from year to year. One year we have a large proportion of low traffic; in another year the percentage of the higher classes would be greater.

7667. What are the perishable goods that you are speaking of?—Plaster and ground colours; mostly Class C. merchandise.

7668. You mean to say you might not have a boat ready to take them on?—Not on the day they arrive. It frequently happens where the two boats have to exchange cargo, a portion will have to go on to the wharf before you commence putting the reverse cargo into the boat that is to take it. The percentage, perhaps, taking it all round, would be 5 to 10 per cent. That is only a guess.

7669. It would be much more economical to you to tranship it at once, because you save one loading?—Yes. We always do that when we can, but cases where we cannot do it are arising more or less frequently.

[The Witness is directed to withdraw.

(The Committee deliberate.)

Chairman.] The Committee have decided to add these words at the end of Clause IV. I had better read that clause first, and then read the proviso. "Notwithstanding anything in this Schedule, where a boat, whether conveying merchandise or empty, passes from the Beeston Cut, belonging to the Trent Navigation Company, over the Nottingham Canal and into the River Trent at Sneyinton Meadow, or *vice versâ*, the maximum toll shall not exceed the sum of 1*s*. per boat-load, or 1*s*. for such empty boat, as the case may be; provided that such boat does not load or unload any merchandise at any place on the Nottingham Canal, or at any place within

the Borough of Nottingham on the River Trent"; and then it will go on: "Provided always that through goods unloaded for transhipment only on the River Trent shall not be deemed to be loaded or unloaded within the meaning of this section."

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (No. 11) BILL.

(Lagan, &c., Canals.)

River Shannon Navigation.

Mr. RICHARD O'SHAUGHNESSY, re-called; and further Examined.

Mr. *J. D. FitzGerald.*

7640. There was one answer you gave yesterday about the premises which the Commissioners have made over to the Grand Canal and Messrs. Guinness at Limerick which you desire to quality?—Yes, to this extent; I thought the premises had been made over to the Grand Canal Company and to Messrs. Guinness, but I learn from Messrs. Guinness's representative that they have not been made over. I would like to correct that for this reason, that my colleagues may perhaps have the matter still under consideration, for some reason I do not know, I think it is very likely they will be made over.

Cross-examined by Mr. *Whitehead.*

7641. Do I understand that you make over these premises to the Grand Canal Company for nothing?—No. I stated yesterday that we make them over subject to a rent.

7642. What is the rent?—I cannot at this moment tell you.

7643. About 30*l.* a year?—I think it would be something like that.

7644. You said yesterday that, in order to get similar accommodation for yourselves, you would have to spend 400*l.* or 500*l.*?—Yes.

7645. That seems a good financial transaction?—I did not put it as a financial transaction. I mentioned it as a matter that would involve large and immediate expenditure on our part.

7646. I understood you to say, in putting forward your own tolls before the Committee, you do not put them forward as being in themselves reasonable, or tolls which could be charged, but as an approximation as near as you could get to your existing maximum?—As an approximation to our existing maximum.

7647. You do not claim that they in themselves are just or reasonable, or tolls which you could charge on the upper navigation?—No, we do not pretend that they are tolls which we could charge on the upper navigation, they are far in excess of any tolls we could charge or do charge on the upper navigation.

7648. With regard to history, you have charge, I suppose, of the records dealing with the history of the Shannon; you are familiar with the outlines of the history of the Shannon?—We have charge of the records; I do not know that I am very familiar with them. I am not a very old member of the Board.

7649. It is the fact, is not it, that at the beginning of this century the Grand Canal Company entered into a contract with the Government, under which they were to improve the central portion of this river?—I cannot speak to that; I am not aware that any such contract was made; I cannot speak to that.

Mr. *Whitehead*—continued.

Chairman. (To Mr. *Whitehead.*)] You are Grand Canal.

Mr. *Whitehead.*

7650. Yes. For about 25 years we controlled the central portion of this navigation, and we were under contract with the Government to spend 30,000*l.* in approving it. This gentleman says he does not know anything about that. (To the *Witness.*) I want to put one or two figures to you with regard to your own proposals. I will take Shannon harbour as a good starting point, that is the point where the Grand Canal comes into this navigation about the centre of the navigation. What is your present toll from Shannon Harbour to Carrick-on-Shannon?—Our present toll from Shannon Harbour to Carrick-on-Shannon is 9*d.*, the distance being about 45½ miles.

Sir *William Houldsworth.*

7651. Is that the actual toll?—Yes.

Mr. *Whitehead.*

7652. Can you tell the Committee what the maximum toll would be under your proposals. As compared with 9*d.*, your proposed maximum would be 3*s.* 9·22*d.*, would it not?—Quite so.

7653. That is Class 1?—Yes; we are talking of our present maximum.

7654. Porter is the most important item of traffic?—Porter is the most important traffic.

7655. Taking porter going down south from Shannon Harbour to Limerick, what is the present actual toll?—The actual toll is 1*s.* 0½*d.* for the distance of 29¾ miles.

7656. Under your maximum would it be 2*s.* 6·77*d.*?—Yes, very possibly.

7657. An increase of about 146 per cent.?—Yes.

7658. Let us consider the Board of Trade Schedule on that lower navigation for the same article, porter, in Class 1; have you worked that out?—I will take it from you.

7659. From Shannon Harbour to Limerick, 9·43*d.*;

Mr. *Whitehead*—continued.

9·43*d.*; that is the Board of Trade Schedule?—Yes.

7660. As compared with your existing 1*s.* 0½*d.*?—Yes.

7661. That, as you stated to the Committee, would effect a reduction on all that traffic of about 250*l.* a year, or a little more?—Yes.

7662. Will you explain to the Committee the nature of the navigation in certain parts, take that part between Killaloe and Limerick, what is the distance?—The distance from Killaloe to Limerick is 14¾ miles.

7663. That part of the navigation was an expensive one, was it not, to construct and put in order?—Yes.

7664. More expensive than the rest of the navigation proportionately per mile?—Yes.

7665. It is more artificial in character?—Yes; there is more canal.

7666. Between Killaloe and Limerick there is a fall of 100 feet?—Yes.

7667. And you have a large number of locks?—Yes.

7668. In your annual expenditure do you spend more in maintenance upon the 14 miles of navigation than you do upon all the rest?—I should presume so; but I regret to say that I am not able to say to a certainty.

7669. I can put the figures to you which have been sent to us from the Board of Works, Dublin. Your total expenditure in the year 1892–93 in maintenance was 2,371*l.*?—Yes.

7670. Out of that you spent 367*l.* at Limerick?—Yes.

7671. £785 on the Limerick Navigation?—Yes.

7672. Between Limerick and Killaloe, and 55*l.* at Killaloe itself?—Yes.

7673. That makes 1,208*l.* out of your 14 miles out of a total expenditure of 2,300*l.*?—I take the figure from you.

7674. That is rather more than half on 14 miles, and the rest on 80 miles of the navigation?—The rest of the navigation would be 14 miles from 86 miles.

7675. That would be 72 miles?—Yes.

7676. We will take it as 72 miles?—There is more. I forgot to say it is 14 miles from 134 miles, because although we do not spend much on the lakes we nevertheless do maintain buoys and lights and that sort of thing there; and therefore we have some comparatively small expenditure upon the lakes.

7677. You spend more than half upon the maintenance of 14 miles and the remainder upon 120, partly lakes and partly navigation?—Yes.

7678. The expenditure incurred by the Board of Works on the Shannon is useful for the purposes of drainage?—Our expenditure for drainage is quite a different item, and is provided by a vote of Parliament.

7679. Is that a different department?—Not a different department, but it is provided from a different source.

7680. It does not come into the account laid before the Committee?—No.

7681. Upon that upper part of the navigation in practice you put in force a lower toll than upon the southern part of the navigation?—Yes.

7682. And you do so, I think, because the necessities of the traffic require a lower toll there?—Yes, to encourage traffic.

7683. And you told the Committee yesterday that if a higher toll were placed there not a boat would pass along that part of the navigation?—If a higher toll were placed between Athlone and Carrick-on-Shannon, where the navigation is only beginning to be reconstituted, undoubtedly it would have that effect. It would be also dangerous, although in a less degree, to increase the tolls to Athlone.

7684. If that traffic were destroyed by an attempt to put the toll up a little higher, it would be an injury to the freighters and a disadvantage to the Treasury, because they would lose the toll?—It would be an injury to the freighters and a disadvantage to the Treasury which neither the Board nor the Treasury would for a moment contemplate.

7685. That traffic upon the upper part has been recently developed by the enterprise of the Grand Canal Company?—Yes.

7686. And they supply along that part of the navigation a frequent service of boats which are a great advantage to the district?—Yes.

7687. It is a service which is a public benefit to the small traders and farmers along there, as well as to the large consignors like Messrs. Guinness?—I believe so.

7688. Of course, if tolls were fixed, or any attempt were made to impose tolls which would destroy that traffic of Messrs. Guinness, by virtue of which the Grand Canal Company are able to support that line of steamers, then all the traders along the line of route would suffer?—Certainly, if such a thing were to be.

7689. Assume that what I ask the Committee to do might involve a small diminution of revenue, say 100*l.* or 200*l.* in the course of the year, would you think, looking at it as a public question, that that expenditure of 100*l.* or 200*l.* was a wise thing for Parliament to sanction, looking to the conveniences of keeping the route open as a public highway?—I do not follow the question.

7690. I am going to ask the Committee to do certain things. Suppose my proposal involves a loss of 100*l.* or 200*l.* a year, which might, if your revenue were not maintained in other ways, involve an expenditure from the public funds of 100*l.* or 100*l.* a year, would that, in your opinion, be a wise expenditure with a view to keeping open that navigation as a public highway?—Do you contemplate a diminution of the tolls?

7691. I assume that my amendment would involve a diminution of the tolls. Assume that it does for a moment; the Government of Great Britain and Ireland have spent upon this navigation between 500,000*l.* and 600,000*l.* upon the river Shannon?—Yes.

7692. Looking to the fact of spending that large sum of money, even assuming that any proposal put before the Committee involved a slight diminution of revenue, do you not think that an expenditure of 100*l.* or 200*l.* a year would be a wise expenditure for Parliament to sanction

Mr. *Whitehead*—continued.

sanction with a view of keeping this open as a public highway?—I should think so if a diminution of the income was justified by any advantage that could be gained from it; but I see no advantage to be gained by it, because the Canal Company's traffic is growing, and their present charges are not too light; therefore I believe it would be against public policy to diminish these charges by 100*l.* year, and throw the 100*l.* a year upon the taxpayer.

7693. Now take your Table which was put in yesterday before the Committee: have you got a copy of it before you?—Yes.

7694. The first column deals with rent?—Yes.

7695. I quite follow you that that column deals with figures, some of which are derived from rents of eel weirs?—Yes.

7696. I do not understand whether all that is derived from eel weirs or whether it included rents from other sources?—It includes rents from other sources.

7697. I quite understand your point. You have a fear that some of your revenue from eel weirs may be taken away from you?—Yes.

7698. Now take your next column, "tolls"; I see that in the main your tolls show a tendency to increase?—Yes.

7699. And I may take it, may I not, that that increase is partly due to the development of traffic upon the upper part of the navigation, which the Grand Canal Campany manage to produce?—It is due to the development of traffic by the Grand Canal Company; but I do not think it is largely due to development upon the upper branch. On that subject, however, I think the clerk will be able to give more definite answers.

7700. Now go to maintenance. I understood you to say yesterday that your engineer reported that he would expect a large increase of expenditure on maintenance in the near future?—Yes.

7701. Whereabouts is that expenditure going to be incurred?—I cannot tell you, because the opinion given to us has not gone into details.

7702. Now look at the figures in the column as they stand. In 1889 1,900*l.*, then 1,800*l.*, then 2,500*l.*, a jump of 700*l.* in that year; then 2,294*l.*; then again 2,371*l.* That shows that in the five years you were providing for interest and expenditure on maintenance, as compared with 1888, 1889, and 1890?—The figures for the first year you named are higher, undoubtedly; but notwithstanding the fact that they were higher, our engineer tells us that we may expect increased cost of maintenance in the near future.

7703. I wish you could tell me where the expenditure would be incurred, whether upon the Limerick Canal or whether upon the inland waterway above Lough Derg?—I cannot say.

7704. The next column is "Clare Castle." Where is that?—Clare Castle is below Limerick, on the right hand side of the river.

7705. On the saltwater part of the navigation?—Yes.

7706. And that part of the navigation is no longer under the control of the River Shannon Commissioners?—That part of the navigation originally formed part of the River Shannon

Mr. *Whitehead*—continued.

Navigation, and is dealt with by the Statute which the Committee have had before them; but virtually it no longer forms part of it; and Clare Castle does not form part of it.

7707. Then "Sundries." Take the year 1890–91; sundries go up to a very large amount, 1,085*l.* Why is that?—I must ask that the accountant be examined upon that point; I cannot answer it.

7708. Your own Table shows us, does it not, a sum of 1,000*l.* for grant to Foynes Harbour. Foynes Harbour is in a somewhat similar position to Clare Castle, upon the opposite side of the river?—Yes, it forms part of our Lower Shannon Navigation.

7709. The sum of 1,000*l.* is a payment which was made once and for all, and will never occur again?—Never. The local authorities took Clare Castle over, and we put it in repair at a cost of 7,000*l.*; that 7,000*l.* became a charge on the Shannon Navigation fund.

Sir *William Houldsworth.*

7710. It is a harbour and not a castle?—Yes.

Mr. *Whitehead.*

7711. The traffic passing along between Limerick and Drumshambo, going in either direction, does not make use of the Clare Castle Harbour?—No.

7712. Nor does it make use of Foynes Harbour?—It may; it does not make use of Clare Castle Harbour. I cannot fancy any circumstances in which it could.

7713. It may make use of Foynes Harbour?—Yes.

7714. Now take the first entry on the "Details of Sundries." "Compensation, &c., 645*l.*" does not that include a large sum paid for compensation for injury to a vessel which took place in Foynes Harbour?—For that detail I must refer you to our accountant.

7715. I see that by means of your revenue you have been able in these five years to pay off, in addition to the matters I mentioned to you, the sum of 2,523*l.* out of the debt previously incurred?—Do you refer to what is headed "Balance"?

7716. Yes; you paid off all but 945*l.*?—Yes.

7717. In the five years you paid off 2,533*l.*?—Yes.

7718. Then there was 1,000*l.* to Foynes Harbour; do you follow me?—Yes.

7719. And then 2,421*l.* for Clase Castle, altogether those three items in five years amount to 5,954*l.*; on the average you have a balance of revenue, after paying your expenses, of 1,190*l.* per annum?—After paying expenses.

7720. The liability with regard to Clare Castle will continue to some extent till the year 1910, will it not?—Yes.

7721. Therefore that expenditure gradually decreasing by 11*l.* or 12*l.* each year will continue and have to be met?—Yes.

7722. Let us exclude that, and take only the 2,533*l.* debt repaid, and 1,000*l.* paid to Foynes Harbour, those two figures together making 2,533*l.* in five years; you have had after meeting all the repairing expenses an average balance of 706*l.*

Mr. *Whitehead*—continued.

706*l.* a year; do you follow me?—I have some doubt as to whether you are not counting the Foynes Harbour matter twice.

7723. No; I assure you not. So far as the arithmetic is concerned it is correct; you can make any comment you like upon it?—The comment is this, that although we are prosperous now, although we have reduced our overdraft as described, there is still a risk which the Treasury want to be guarded against, a deficit in the future in consequence of the items I have already mentioned; it is a question of principle which the Treasury wish decided.

7724. You are responsible for the Report of the Commissioners of Public Works in Ireland issued to-day?—Yes.

7725. Signed by yourself?—Yes.

7726. It is dated the 30th June, "The administration of the Shannon and other navigations in Ireland, whether maintained from their own funds, as in the case of the Shannon, or partly by votes of Parliament, involves considerable care and attention." It is true this year that the Shannon is a navigation that can be maintained from its own funds?—Yes, and it is on its own funds that the burden of the maintenance of the navigation should fall, and does fall.

Sir *William Houldsworth.*] They have not only maintained it, but you have reduced your indebtedness.

Mr. *Whitehead.*

7727. They have laid out certain new works besides. Let me refer you to page 31 of that same report on the Shannon Navigation, "The canals, ferries, bridges, jetties, quays, lock-houses, &c., were maintained in good order, and new lock gates put in at Killaloe, Meelick, and Tarmonbarry"?—Yes.

7728. You only deal with the half-year, 1893–94, it is upon page 60 and 61 of that report, "Inland Navigation, Shannon River. Total Receipts, Tolls, 2,243*l.* 12*s.* 3*d.*"; 1,831*l* the year before, and 1,628*l.* the year before that?—Yes.

7729. So that we may take it that the revenue from tolls, assuming that the existing tolls are maintained, is tending to increase?—Yes

7730. From 1,600*l.* to 1,800*l.*, from 1,800*l.* to 2,200*l.* Your expenditure last year was 3,672*l.*, and the total revenue, 4,914*l.*, showing a balance of over 1,200*l.*?—Yes.

7731. There was one question asked you about a figure in your own Table of rent 1,647*l.* for the half-year; you explained to the Committee that the rents for the whole year were 2,714*l.*, a slight diminution compared with the preceding year?—Yes.

Re-examined by Mr. *J. D. FitzGerald.*

7732. First, as to the estuary of the Shannon; the estuary of the Shannon below Limerick is under your jurisdiction, but under the Act of 1839 no toll is allowed to be taken with regard to navigation upon the tidal part?—Yes.

7733. But you have from time to time constructed harbours or piers or other works in the estuary of the Shannon?—Yes.

Mr. *J. D. FitzGerald*—continued.

7734. Under one of your later Acts you are allowed to transfer those works to the local authority if you think fit?—Yes, under the Act of 1885, if the local authority will agree to take it from us, and it was the unwillingness of the local authority to take these places from us that compelled us to purchase by these improvements and by these advances their acquiescence to take them.

7735. Is that why you have transferred Foynes Harbour and the harbour at Clare Castle to the local authority?—Clare Castle to the local authority and Foynes Harbour to a body specially constituted for the purpose.

7736. There is only one other question I want to ask you: that is about the increase of your tolls. I see here, by a memorandum presented to Parliament in the year 1888, when the Government brought in the Shannon Drainage Bill, that the total tolls for the year 1886 were 1,341*l.*?—Yes.

7737. That would be correct, no doubt, and it shows that the tolls have risen in eight years from 1,431*l.* to 2,243*l.*, the figure given by my learned friend Mr. Whitehead; an increase of over 100*l.*?—Yes.

7738. That rather shows that the tolls that you charge now have not crippled the trade in any way?—Yes, that is what we infer.

7739. And they have been such as have enabled the trade to preserve the increase?—Certainly.

Mr. *Richardson.*

7740. Have you had any complaints of the rates hitherto charged until now?—I have heard of none.

Mr. *Spicer.*

7741. Cannot you give us any information with regard to the question of future expenditure; you seem to be well informed upon the canal generally; have not you had any conversation with the engineer?—I should wish to explain that my inability to do that arises from this: the engineer gave us that opinion. We were summoned here at 24 hours' notice; if we had had time to get our engineer, who is away from us, to come and tell us what the items were in respect of which he treated that expenditure, we should have done so. The fact is, that the Treasury under whom we were acting until the last moment, appeared to have thought this margin, which we seek, would have been maintained without the necessity of a Parliamentary fight, and we were taken at a disadvantage at the last moment, and came unprepared with some details, that amongst others.

7742. During the last few years have you complied with the requisitions that your engineer has made with regard to the river as a canal?—Certainly; we have maintained it properly.

7743. Have you had any instructions whereby you should go upon an especially economical régime and cut down the expenditure?—No, there has been nothing of the kind. We always maintained the canal fairly fully; but notwithstanding that, there may be occasionally a higher expense, which must occur in every system as a matter of necessity.

 7744. I understand

Sir *Richard Paget.*

7744. I undestand that you contend that your present rates are not too high?—Our present actual rates are not too high.

7745. But do you consider they are below your maximum powers of charge?—Yes.

7746. Have you compared your actual rates with the Board of Trade Schedule?—Yes.

7747. What is the result of that comparison?—The result of that comparison is, that on our principal trade which is done with the City of Limerick, there would be a loss to us on the Board of Trade Schedule of from 250*l.* to 300*l.* a year.

7748. Are you making a comparison between the Board of Trade Schedule and your actual rates, or between the Board of Trade Schedule and your maximum?—Between the Board of Trade Schedule and our actual rates.

7749. What is the result of your comparison between the Board of Trade Schedule and your actual rates?—The result of our comparison is this, that taking the trade in and out of Limerick, which is three-fourths of our trade, there would be a loss on the year 1893 of from 250*l.* to 300*l.* a year.

7750. What would be the effect upon the remaining portion of your navigation?—I do not think on the remaining fourth; in fact, I know that the Board of Trade Schedule would inflict no loss upon us. It is quite the other way; for a great part of the remainder of our navigation we should not be allowed to charge the Board of Trade Schedule. The Treasury would not allow us.

7751. Do I understand that you contend that the Board of Trade proposals as to a portion of your canal are so high that you could not possibly put them into operation?—Quite so, as affecting about one-fourth of our traffic.

7752. Therefore, viewing the Board of Trade proposals as a whole, they would involve you in the loss you have stated?—Precisely.

Mr. *Richardson.*

7753. You said just now that you had had no complaints of your rates?—Not so far as I know.

7754. Supposing you had complaints, have you power, without going to the Treasury, to make concessions to the traders?—I was under the impression, until Mr. FitzGerald read the Act of Parliament, that we could make concessions without going to the Treasury; but of this I am perfectly certain: that if we did go to the Treasury recommenning a concession as being desirable for the purpose of maintaining or increasing the traffic, the Treasury without a moment's hesitation would assent. They will do anything to increase traffic.

Mr. *Whitehead.*

7755. My learned friend does not object to my asking this question, if the Committee will allow me. In the year 1853 the toll from Shannon Harbour down to Limerick was fixed by the Board of Works and the Treasury at 6*d.*?—I have got the figures.

7756. From 1848 to 1873?—I have not 1848; what distance?

Mr. *Whitehead*—continued.

7757. From Shannon Harbour to Limerick?—From Shannon Harbour to Limerick in 1853 it was 9½*d.*

7758. Practically what the Board of Trade have fixed now?—Yes.

7759. In 1873 it was what?—12½*d.*, our present charge.

7760. It was raised to 12½*d.* by the Board of Works in Ireland with the sanction of the Treasury in London?—Yes.

7761. Was that done after conference with the traders upon the navigation, or without any discussion with them?—It is so very long ago that I cannot say. I was not at the board then.

7762. Will you be so bold as to say that it was done with the concurrence or with the knowledge of the traders until it came into effect?—I cannot say that, but I have heard no complaint of it as it stands.

Sir *William Houldsworth.*

7763. It was sanctioned by the Treasury?—Yes.

Mr. *Whitehead.*

7764. In the year 1882 the Board of Works in Ireland put up the toll from 1*s.* to 1*s.* 6*d.*?—Up to 1*s.* 3*d.*

7765. And for that they got the consent of the Treasury, in the first instance?—I was not at the board in 1882. I take it from you.

7766. Without the concurrence of the Treasury?—I have always heard that they applied to the Board of Trade to raise the tolls in 1882, but that the Treasury would not allow it; that is the way it was put to me.

7767. The Treasury gave their consent, and the Schedule was issued, and the traders said if the tolls were attempted to be enforced they would take the boats off the navigation; then the Treasury withdrew it?—I do not know that; it shows that the Treasury, even if they make a mistake, are willing to reconsider it. May I call attention to some figures here?

Chairman.

7768. Yes?—It is with regard to the amendment proposed by the canal company applying a lower schedule to the Higher Shannon to everything that does not use the Limerick Canal. It concerns the amendment that the learned gentleman has been cross-examining me about. What I want to show the Committee is the effect that Schedule, as proposed by him, and as worked out by us, would have on our traffic using the Limerick Canal, that is to say, upon one-fourth of our traffic.

Sir *William Houldsworth.*

7779. That is the traffic between Shannon Harbour and Limerick?—No. This amendment has been spoken of as an amendment affecting the traffic above Shannon Harbour.

Mr. *Whitehead.*] I only cross-examined as to certain questions.

Sir *William Houldsworth.*] He is putting us right.

The *Witness.*] I think the cross-examination

was

was rather directed to the trade above Athlone in the extreme upper part. I want to show the effect of the amendment proposed by the Grand Canal Company upon what is a very important, though minor part of our trade; that is the traffic between Shannon Harbour and stations between Shannon Harbour and Limerick, and also the important station of Athlone. Now, at present, I take Portumna, which is an important station; that station is 14½ miles from Shannon Harbour, our present toll is 0·31*d.*, and the toll given by the amendment would be 0·32*d.*, no doubt equal, or rather larger, than our present toll, but allowing no margin which we seek to have. I go on to Killaloe, and I find the same state of things there; our present toll is 0·30*d.*, and the proposed toll would be 0·31*d.*, which I take to be identical, and which would allow us no margin. I come now to Scariff, and the same thing arises there; then I come to a place called Lanesborough; our present toll to Lanesborough is 0·29*d.*, the proposed toll would reduce it to 0·25*d.*, involving a loss.

Mr. *Whitehead.*

7770. How muuch would it mean in the course of a year?—It does not mean much.

7771. It means 2*l.* a year?—It is a loss and deprives us of any possibility of a margin in future if the trade developed. Then I shall pass on to Carrick-on-Shannon, because that is a place where we admit the tolls ought to be as low as possible. I come to Athlone, which is not an unimportant station, our present toll to Athlone is 0·31*d.*, the proposed toll to Athlone is 0·27*d.* What I submit to the Committee is this: that for the entire distance of this system the proposed amendment deprives us of all margin, and in some important cases it considerably cuts down our actual receipts.

Chairman.

7772. Are you comparing your present actual charge with the maximum rate which the amendment would give you?—Yes.

7773. What is the name of the last?—Dromineer; our present toll is 0·30*d.* and the proposed tolls will be 0·30*d.*; it is not an important place.

Mr. *Whitehead.*] We have prepared some diagrams to show clearly what the effect of all the proposals is. If the Committee would like to have them before them now, I can put them in, it may be convenient. (*The diagrams are handed in.*) Your Grace will see the first line, the red line, is the maximum proposed by the Commissioners; the next line, the green line, is that proposed by the Board of Trade; the black line is the existing actual, and the blue line the proposal of the Grand Canal Company. Each square going upwards represents a penny in money and going laterally represents a mile in distance. Our amendment takes the green line of the Board of Trade for the Limerick traffic, and traffic on the canal, and our blue line comes into operation on traffic between the canal at Killaloe, and the northern part of the navigation.

Chairman.] Where do you touch the Board of Trade amendment?

(0.161.)

Mr. *Whitehead.*] Your Grace will see the green line is the Board of Trade line; on some parts of that we accept it.

Chairman.) But where?

Mr. *Whitehead.*] On all traffic that uses the canal between Killaloe and Limerick. This Table deals with traffic from Shannon Harbour to all the different parts of the navigation up and down; it goes, as you see, upon the mileage basis, starting with one mile in the first square to the left, and so going up mile by mile. At all the important points you see the name mentioned and the actual tolls, giving the points, Shannon Bridge, Portumna, Killaloe, and so forth.

Chairman.] I understood you to say that you followed the Board of Trade proposal. You run up to a certain point, but I do not see that you touch them anywhere except at Portumna.

Mr. *Whitehead.*] If I expressed myself in that way I was inaccurate, and I say we accept the Board of Trade line for certain classes of traffic; and therefore did not put in a special line dealing with it, because our line will be the same as the Board of Trade line; but upon the other traffic affected by our amendment we cut down the Board of Trade from the green to the blue.

The *Witness.*] I have just two things to say in connection with this matter, and the latter is a very important one. The first is that, in order to make this of any practical value, it should also contain a line showing our actual charges.

Mr. *Whitehead.*] It is so, the black line.

The *Witness.*] That is the important line in it, because that line cannot be departed from, no matter how high their maximum is, without the Treasury consent, and I submit to the Committee that is a perfect security to the traders against undue raising upon our part. That is really the important line. The maximum line that we adopted, we adopted as being nearest to our existing maximum under our old classification. Now I want to submit this further to the Committee. I have already explained to the Committee that we were taken in the hurry at a disadvantage, and that would have been seen by the mode in which I addressed the Committee yesterday, because we actually did not know what proposal to make to the Committee to save ourselves from the loss of some margin. The only thing we could do under the advice of Counsel was to submit the Schedule which we had already submitted to the Board of Trade, which we submitted, because it was like our old Schedule of prices, but the Board of Works are prepared, in order to avoid what appears to be the enormity of that red line, to take 25 per cent. off Classes 1, 2, 3, 4, and 5, which are the classes that underwent augmentation, and where our maximum is made to appear extravagant by the adoption of the Board of Trade classification. We are prepared to reduce the figure opposite the last five figures in our amendment by 25 per cent., and we have the amendment prepared for that purpose.

Mr. *Richardson.*] What about A., B., and C.

The *Witness.*] It is so worked out that the same things do not apply there

that our maxima in these case were rather under our present maxims. But the important traffic with us is 1, 2, 3, 4 and 5. If the Committee desire it we will take 25 per cent. off all, off A., B., C., and 1, 2, 4, 4, 5.

Chairman.

7774. You have put in certain amendments; on page 2 of these amendments you propose that for the first ten miles in Class A. the toll should be 0·25*d.* per ton per mile?—Yes; that is how it stands in our amendment as we proposed it yesterday.

7775. For the first ten miles your amendmeut as it stands before us is 0·25*d.*?—Yes.

7776. What would the Commissioners be prepared to reduce that to?—We would take 25 per cent. off that.

Mr. *J. D. FitzGerald.*

7777. Are you quite clear as to the question put to you? I understood you to say you would take 25 per cent. off the five numbered classes?—Yes, but I throw in the others. I propose an amendment on the amendment that we originally proposed.

Sir *William Houldsworth.*

7778. You propose to amend your Schedule by taking 25 per cent. off all?—Yes.

Chairman.

7779. I understand your proposal now is this; that on Class A. for the first 10 miles, or any part of such distance, the toll should be 25 per cent. less than what you have put in your amendment, which is 0·25*d.*?—Quite so.

7780. Then for the remainder of the distance in your original amendment you proposed 0·15*d.*; you now propose to reduce that 25 per cent.?—Quite so.

7781. What do you say as to wharfage charges?—The wharfage charges remain the same.

7782. Then we come to Class B.; you proposed 0·60*d.*, and you propose now to take 25 per cent. off that?—Quite so.

7784. For the remainder of the distance you proposed 0·40*d.*, and you propose to take 25 per cent. off that?—Yes.

7785. Then in Class C. your original proposal was 1·25*d.*; you now propose that that should be ·94*d.*?—Yes.

7785. And for the remainder of the distance, instead of 0·80*d.*, you propose 0·60*d.*?—Yes.

7786. On Class 1 your proposal is 0·97*d.* instead of 1·30*d.*?—Yes.

7787. Then for the remainder of the distance ·67*d.* instead of ·90*d.*?—Yes.

7788. Then for Classes 2, 3, 4, and 5 for the first 10 miles or any part of such distance you have 1*d.* instead of 1·35*d.*?—Yes.

Chairman—continued.

7789. And for the next distance you propose now ·71*d.* instead of ·95*d.*?—Yes.

7790. That is the proposal you now make to the Committee?—Yes.

Mr. *Whitehead.*

7791. As you are proposing something new, will you inform the Committee to which classes the bulk of the traffic belongs?—The bulk of traffic belongs to Class 1 7.

7792. And on Class 1 you propose 0·97*d.* instead of 0·45*d.* of the Board of Trade?—As a maximum, which we should not charge.

Chairman.

7793. Do I take it that all your proposals which you have now given us are to be the maximum rates?—Certainly, and as I understand from our Counsel, we propose to have a clause introduced that there shall be no raising of our actuals as they stand to-day.

Chairman.] You had better let your Counsel state that.

Mr. *J. D. FitzGerald.*] I stated, that if there was any doubt whether the Act of 1839 would still apply I would ask the Committee to insert a clause making that quite clear.

Sir *William Houldsworth.*] You mean the Commissioners would not raise the toll without the consent of the Treasury, not that they would bind themselves never to raise it.

Mr. *J. D. FitzGerald.*] Just so.

Mr. *Whitehead.*

7794. One or two questions on this suggestion; take traffic from Shannon Harbour to Limerick, your present toll is 1*s.* 0½*d.*?—Yes.

7795. On Class 1; that is the dominant class?—Yes.

7796. What would it work out at on your proposals?—I know our proposals would be considerably higher than 1*s.* 0½*d.*, but we could not raise the toll beyond the 1*s.* 0½*d.* without getting the Treasury's sanction.

Sir *William Houldsworth.*

7797. What would it work out at?—22·925*d.* as compared with 12*d.*, practically 23*d.* as compared with 12*d.*

Mr. *J. D. FitzGerald.*] That would be 6¾*d.* less than the present maximum?

Mr. *Whitehead.*

7798. At the present time you have one charge in practice. I mean you have one charge for all classes?—Yes.

[The Witness is directed to withdraw.

Mr. OCTAVIUS H. BRADDELL, is called in; and, having been sworn, is Examined, as follows:

Mr. *J. D. FitzGerald,*

7799. You are Accountant to the Board of Works?—Yes.

Mr. *J. D. FitzGerald*—continued.

7800. And you have prepared this Table which has been put in, of the receipts and expenditure

Mr. *J. D. FitzGerald*—continued.

penditure of the navigation for the last five years?—Yes.

7801. Is that Table correct?—Yes.

7802. I mentioned, in opening this case, that the contribution from the Treasury between 1838 and 1889 had been 592,934*l.*; was I correct in that?—Yes.

7803. Speaking roughly, how much of that has been for navigation purposes and how much of it has been for drainage purposes?—Rather more than half has been for navigation.

7804. That represents money which has been in the shape of a free grant?—A free grant or remitted loans?

7805. Either it was a free grant, or where it was a loan the loan has been remitted?—Yes.

Cross-examined by Mr. *Whitehead.*

7806. I was referred to you for a figure on the expenditure side of the account, the first entry under the heading of "Sundries," "Compensation, 645*l.*," I was told you could tell me whether or not that included a large sum paid as compensation for an injury to a vessel in Foynes Harbour?—That is so.

7807. What sum was that?—£519 for injury, and 125*l.* for costs.

7808. So the whole amount of 645*l.* was paid for the injury to that vessel?—Yes.

7809. That is not an item which would in future come into the River Shannon accounts?—It would not.

7810. Take the next item, of compensation 165*l.*; in the next year 1889–90, was that compensation of a similar character?—£165 was paid to the lessees of the eel weirs for giving up a house.

Mr. *J. D. FitzGerald.*] I have an elaborate Table that has been prepared—unfortunately it is not in print—which shows in every case the maximum charge and the actual charge, and if the Committee think it would assist them I will call a witness to prove it formally?

Chairman.] I think the first witness told us everything.

Mr. *J. D. FitzGerald.*] Then that is the case for the Commissioners.

Mr. *Whitehead.*] I have now to address a few observations to the Committee on behalf of the Grand Canal Company and the Messrs. Guinness. I think it must be quite obvious now to the Committee that this is a case which stands quite alone. This is the first time that the Committee have had to settle a Schedule, not on any balancing of interests of different traders or interests of shareholders as against traders, or of creditors as against traders; not on any nice adjustment of what you may call vested interests in the navigation; but this comes before you as a public question; the question involved being the administration by a public department of a navigation maintained by the State in effect for the benefit of the industries and trade of that region; therefore it stands alone. The Committee, I submit, need not consider with any detailed care or precision any questions of balancing accounts on any commercial basis, but they have got to look at the question as a whole, as a question of public policy, the question of administration of one of the State Departments. Now, my learned friend, inopening his case, gave to the Committee a history of the navigation from 1839. I must add to that a short supplement so that you may understand what are the relations existing between the Grand Canal and the Commissioners of the Shannon. The circumstances are these: In the eighteenth century the Irish Government was extremely anxious to promote navigation from east to west across Ireland, and also from north to south, by means of the Shannon. The Grand Canal Company, acting under Parliamentary power, made their canal running into the Shannon of Shannon Harbour; that part of the scheme was carried out by private enterprise, and with the subscriptions of shareholders, but the rest of the scheme which had devolved on the Government to perform was not carried out; and at the commencement of this century, when the Grand Canal Company reached the Shannon, they did not find a well-prepared water-way for them, but they found that practically the water-way had been left in its natural condition. Thereupon the Government of Ireland issued advertisements offering to grant a sum of about 50,000*l.* to anyone who would undertake to deepen and dredge and keep in order the central portion of this navigation, the piece between Portumna on the north of Lough Derg, and Athlone on the south end of Lough Ree, into which portion of the navigation the Grand Canal Company's own navigation came. The Grand Canal Company were the only persons who offered to do that work, and they entered into a contract with the Government under which they deepened that portion to a depth of 5 feet 9; they carried that out, using the 50,000*l.* granted to them by the State, and expending also the sum of 30,000*l.* out of their own resources, making altogether 80,000*l.* In the year 1810 the Government Engineer reported to the Director General for Ireland that we had carried out our contract, and that the navigation between Portumna and Athlone was at the depth to which we were required to dredge it, and that it was in proper order. From 1810 to the year 1835, when my learned friend's history begun; we were in possession of the central portion of the navigation, and were entitled to demand tolls on it, our own traffic passing free over it, we being the proprietors of it. In 1835, when we merely possessed the central link, there were two other bodies of public Commissioners having the control of the navigation, one in the south going down to Limerick, and the other in the north going to Drumshambo; and in the general interests as a matter of public policy, Parliament decided to abolish the privilege which we possessed in the centre of the navigation, and create one Board of Commissioners, to have the whole control of the matter. Taking away from us in that way the control over the central portion of the navigation, they deprived us in effect of that expenditure of 30,000*l.* which we had incurred, and from that date, 1835 or 1839, when the tolls began to be enforced, we, and everybody else, have had to pay these tolls upon the navigation. Between Shannon Harbour and Limerick the toll in 1839 was 1*s.* 3*d.* In 1848 railway communication was opened

opened up between Dublin and Limerick, whereupon the Grand Canal Company and the steamship company who carried from Dublin over the Grand Canal and down the Shannon to Limerick, became subject to the competition of the railway for all that traffic; and in 1848 those two companies approached the Government, and asked for a reduction of the toll, and the Lords of the Treasury, after enquiring into the matter, sanctioned the reduction of that toll from 1*s.* 3*d.* to 6*d.*

Chairman.] You say "those two companies;" which companies?

Mr. *Whitehead.*] The Grand Canal Company as the proprietors of the Grand Canal, and the steamship company who were carriers from Dublin over the Grand Canal, and then down to Limerick, the City of Dublin Steamship Company. The Lords of the Treasury sanctioned a reduction of the 1*s.* 3*d.*, which was a non-competitive toll, to a competitive toll of 6*d.*, so that we might compete with the railway if we complied with certain conditions. The first condition was that the Grand Canal Company should reduce their tolls on their navigation from 5*s.* to 3*s.*, and that the steamship company should reduce their rate from Dublin to Limerick from 25*s.* to 21*s.* 8*d.* We complied with those conditions, and I may say now the steamship company has slipped out, and the Grand Canal Company do the carrying, and our rate from Dublin to Limerick has come down to 12*s.* as compared with 25*s.* When we asked for a reduction on the Shannon Navigation, in 1853, that toll of 6*d.* was raised to 9*d.*, and so it continued to 1873, which is as near as possible the figure fixed by the Board of Trade. The Board of Trade figure, as the Committee will remember, works out 9·43*d.* for that distance, just covering the old toll in existence from 1853 to 1873. In 1873 that 9*d.* was raised to 1*s.* without any concurrence of the traders of the navigation, without the matter having been discussed between the public authorities and the persons to pay the toll, and from 1873 to 1882 we were bound to pay that 1*s.*, and we continued to do so. In 1882 a further attempt was made by the Board of Works in Ireland to raise the 1*s.* to 1*s.* 3*d.* That toll was sanctioned by the Lords of the Treasury in London, but we protested, and said if that toll were enforced we should take our boats off the navigation, and in effect the Commissioners would loss all the tolls which we at that time were paying. We, the Grand Canal, represent the bulk of the traffic upon the navigation. Out of a total tonnage of about 57,000 or 58,000 tons we are carriers of over 50,000, and the threat that we should take our boats off the navigation induced the Lords of the Treasury to reconsider their decision, and they restored the toll to what it had been from 1873 to 1882, and the toll of 1*s.* has continued down to this date between Shannon Harbour and Limerick.

Sir *Richard Paget.*] One shilling and a halfpenny.

Mr. *Whitehead.*] Yes, I am obliged to you. I only make these remarks so that you may understand that the Grand Canal have a sort of historic claim upon the consideration of Parliament, because they themselves have executed some of these works upon that central portion of the navigation. They have been active in developing the trade upon the navigation, and they have spent 30,000*l.* out of their own pockets in improving the navigation in the central portion, and they consider that on these grounds they have a great claim on the kind consideration of Parliament, and that they ought not to be dealt hardly with when the rates to be charged upon this Shannon Navigation come to be dealt with as a public question. There is one other matter I would like to direct the attention of the Committee to. These increases in the years 1853 and 1873 were made without the concurrence of the traders, and without the concurrence of the Grand Canal, and, as things now stand, they are subject to the possibility of an increase being placed upon them almost before they have had any time to appeal to the Treasury in this country. So much for the history of the matter. Now, I ask the Committee to turn to the various proposals before them. In substance I admit there are only two proposals which are seriously placed before the Committee. It is true you have the proposal of the Commissioners which has now been amended, and you have the proposal of the Board of Trade, and you have the proposal I am going to submit later on for your consideration, but the Committee will remember this: Mr. O'Shaughnessy admitted in cross-examination that so far as the tolls he proposes are concerned he does not place them before the Committee as being in themselves just or reasonable, not even as tolls which could be put in force on the higher part of the navigation. It is not a scheme framed upon any principles upon which the Committee has acted up to the present time; and it does not come, admittedly by his own evidence in the box, within that description which the Act of 1888 gave for these Schedules, namely, a Schedule of tolls which is in itself just and reasonable; and he says that these proposals not being reasonable, are a vague sort of approximation which he could get at in the hurry of 24 hours' notice, a vague approximation of what they thought were proper.

Mr. *J. D. FitzGerald.*] They were summoned here at 24 hours' notice, but the Schedule was what was givan to the Board of Trade originally.

Sir *Richard Paget.*] The red line does not represent the proposals that they have just made to the Committee.

Mr. *Whitehead.*] No, but these proposals are an afterthought suggested upon the advice of my learned friend after they placed their case before the Committee, because they saw the weakness of the position they look up to that time. That is the situation now. Mr. O'Shaughnessy admits that if they attempt to enforce the tolls in the upper part of the navigation not a boat would pass. Therefore I say that these proposals are not seriously put before you. I listened very carefully to what Mr. O'Shaughnessy said yesterday when he was examined by my learned friend, and in substance this is what my comment upon their attitude is. What they want the Committee to do is to take off from their shoulders the responsibility of assenting

assenting to a lower maximum than they are at present entitled to. Even now they have withdrawn the suggestions, as a public department they do not feel justified in assenting to a diminution of their statutory power, unless it was sanctioned by this Committee, and this Committee and Parliament took the responsibility of doing it.

Sir *Richard Paget.*] Do not they go so far as this, as to suggest that the acceptance of the Board of Trade figures would land them in a deficit, and oblige them to apply elsewhere for ways and means.

Mr. *Whitehead.*] I have certain figures which will show that such a contention is entirely unfounded; but at all events I will leave their original proposal in this way: that they have not attempted to justify it upon any reason, or upon any ground of justice or expediency, or even upon the possibility that they could put in force such charges; and I think a Schedule propounded in that way is not a Schedule commending itself to the Committee; and I will not discuss in detail what its effect would be. I put to Mr. O'Shaughnessy two cases, showing that in one case their new maximum under their original proposals would give a margin of 376 per cent. upon the upper part of the navigation, and on the lower part of the navigation a margin of 146 per cent. Such proposals as these are absurd and ridiculous in view of the Legislation which has been already passed, and will not commend themselves to the Committee. So far as their last suggestion is concerned, it is difficult for us, when suddenly confronted with a new proposal, to deal with it. But I had an opportunity of putting one question to Mr. O'Shaughnessy, and that will show that these proposals also are far wide of what was a just and reasonable toll; and those proposals also ought to be rejected by the Committee. I asked him the toll from Shannon Harbour to Limerick at the present time, 1*s.* 0½*d.* By this amended proposal, this very moderate reduction which he proposes, he would get 1*s.* 10*d.* if he could charge it. We submit that a margin of that kind over a toll which has been in existence for 20 years, and which before that time was considerably lower, is a margin which ought not to be accepted by Parliament.

Now I will deal with the other two proposals which are in substance the two proposals before the Committee for consideration, the proposal of the Board of Trade and the proposal put forward in that amendment which I will explain to the Committee. Your Grace, our amendment proposes to do this: We say that the lower part of the navigation between Killaloe and Limerick stands upon a different footing to the rest. There is a fall of 100 feet; it is expensive in construction and maintenance. There are a large number of locks, and it is an artificial waterway differing from the upper part of the river going up to Drumshambo. In substance, our traffic is the traffic of the canal; therefore, whenever any traffic of ours passes over that piece of the waterway, we are willing to pay the higher toll, the tolls fixed by the Board of Trade upon every portion of that traffic, for the total length of its journey. If it merely uses one mile of the lower part between Killaloe and Limerick we are willing to pay the higher toll upon the whole length of the journey. We accept the Board of Trade figures upon that. But if our traffic merely uses the natural river between Portumna and Drumshambo, that is to say, never gets the advantage of this heavy expenditure either of construction or maintenance, then we ask the Committee to fix a lower scale of tolls in respect of that traffic, representing only one-fourth of the traffic of the navigation, and give us the benefit of the lower scale, enabling us to continue this service of boats along the navigation, which is a service which we conduct in the public interest.

Sir *William Houldsworth.*] I understand in your amendment, were you say: "Does not use the Limerick Canal," we are to understand the Limerick Canal to be the portion of the navigation between Killaloe and Limerick.

Mr. *Whitehead.*] Yes; for any traffic using that canal we accept the Board of Trade figures. We accept them, not merely for that portion of the journey upon the canal, but for the whole journey we accept the Board of Trade figure and take the higher scale. I would like the Committee to understand what the effect of all of this would be. In substance the traffic is of two kinds: traffic coming from Shannon Harbour down to Limerick, the greater portion stopping on the way at the various towns, Portumna and others, between Shannon Harbour and Killaloe, but the greater portion coming down to Limerick and being delivered there. The other part of the traffic goes northward up to Drumshambo. The effect of the Board of Trade Schedule upon traffic coming down to Limerick would be to reduce the receipts of the Commissioners by about 250*l.*, if the amount remains constant, and that is a reduction which we contend is reasonable. That brings the maximum charge down to the figure of 9*d.*, which was the charge from 1853 to 1873 until this recent increase was put upon us by the Commissioners and by the Treasury. We say, your Grace, this: in 1848 the Lords of the Treasury saw that if we reduced our rate of freight from Dublin to Limerick to 21*s.* 8*d.*, a reasonable toll from Shannon Harbour down to Limerick would be 6*d.* In fact, we have reduced our toll not merely to 21*s.* 8*d.*, but at the present moment our rate is 12*s.* We say if 6*d.* be a reasonable toll in comparison to 21*s.* 8*d.*, 9·23*d.*, which is the Board of Trade figure, is not an unreasonable reduction, looking to the fact that the utmost we can get in competition with the railway is reduced to 12*s.*

Then the Committee ought to remember that this reduction of toll by reducing our charges will give us facilities for competing with the railways for traffic to Limerick, and in that way may increase the tonnage, and recoup to the company some portion, if not the whole, of the loss which appears in the paper as amounting to 250*l.* We are quite willing to accept the higher scale compared with that which we propose on the upper navigation between Killaloe and Limerick. We submit that that is thoroughly in accordance with the principle of recent legislation adopted by the Committee up to the present time. Whenever the Committee find

one portion of the waterway especially expensive to construct or maintain, they have in every case given to the navigation a bonus mileage. We are willing to accept the principle and fix our higher scale upon the expensive part of the navigation, if you apply the same principle when you come to the upper part and give us the lower scale there. Do not give us the higher scale throughout the navigation. That higher part, although it extends over a hundred miles, only has a fall of 40 feet in comparison with the 100 feet fall upon the 14 miles between Killaloe and Limerick; it is a natural waterway; they have no expense in water, and as Mr. O'Shaughnessy explained, per mile their expenses upon that portion of the navigation are very small in maintenance, compared with the navigation between Limerick and Killaloe. If it were merely a question of getting into harmony with the principles of previous Bills, and the mere theoretical question of symmetry we should not ask it; we ask it because it has a practical bearing upon the traffic of canal companies in a very important way; it conforms to the existing practice as Mr. O'Shaughnessy said. They have at the present time allowed toll upon the upper navigation. They are bound to have it; unless they did the traffic would cease. He admitted that it was the enterprise of the Grand Canal Company that had developed the traffic and brought the tolls at the present time into the Exchequer of the Commissioners; and he admitted also, and I would ask the Committee to remember this carefully, that if tolls are by any mischance fixed for this higher navigation, I do not mean fixed by the Committee, but fixed by some accident or some want of sense of responsibility upon the part of the Commissioners in Ireland, or through some accident of misconception of the case by the Treasury in this country; if any such accident were to occur, then all that traffic will be lost, and the small farmer and small traders along the navigation would lose the benefit of the regular service of boats which we supply at the present time, and which the important traffic of Messrs. Guinness enables us to supply. If that traffic is seriously interfered with by the imposition of high tolls, then these public conveniences will be destroyed, and this navigation, upon which has been spent between 500,000*l.* and 600,000*l.*, will cease to be a public highway. That is the issue, putting it broadly. The question for the Committee to decide is this: can the Commissioners afford the reduction that we ask for, or will it land them in a financial difficulty, and upon that part of the case I would refer the Committee to the Table put in by the Commissioners themselves. I ought to state this, that our proposal would have this effect. The reduction of the Board of Trade is about 250*l.* upon the lower part of the navigation; our proposal will affect not merely the traffic which goes up the river, but the traffic coming down from Shannon Harbour, and stopping at some point short of Killaloe. The effect upon that traffic would be that we should make a further gain of about 62*l.* Altogether if you accept our proposal upon the navigation coming southwards, the Commissioners will cease to derive a revenue of about 300*l.*, assuming always that the reduction of tolls does not involve an increased tonnage receipt. Upon the upper part of the navigation our proposals will, in effect, re-enact the existing tolls; I think they give a small margin, whereas under the proposals of the Board of Trade we may become subject to an increased charge of 140*l.* a year; our proposals will reduce that 140*l.* a year to 11*l.*, so that we cover all actual charges by 11*l.* a year; but in substance we really re-enact the actual tolls. Our proposals are not unreasonable. We ask Parliament, now that this public trusts come before them, to have these tolls fixed, to fix a toll which will protect us against any accident or misconception of what are the needs of the case upon the River Shannon. All that I have to satisfy the Committee upon is this: is it necessary for us? Will that further loss of 62*l.* which we ask the Committee to sanction, be a serious matter to the Commissioners upon the face of their own accounts? Now, if your Grace refers to the Table they put in, you will see, as I got this out of Mr. O'Shaughnessy in cross-examination upon the last accounts issued and published to-day, that there is a steady increase in tolls; it has gone up from 1,600*l.* to 1,800*l.* in one year; this last year it has gone up to 1,822*l.* or 1,823*l.*, showing that upon that item they have an increasing revenue which might enable them to charge us possibly an extra sum of 62*l.* As regards the rent on the eel weirs I cannot disguise the fact that the Commissioners have got the fear that they have been acting in an illegal way. That may or may not be so. The present time, as far as the Committee are concerned, it is a mere vague fear which Mr. O'Shaughnessy has expressed in the box, and as the fact stands and it stood in their own tables, they had a steadily increasing revenue from rents; part of them, the eel weir rents, which may cease, but part rents from other sources as to which their revenue is increasing, because last year they received an extra 30*l.* from the canal company for rent of premises down at Limerick; so that you must not treat the figures in the first column as being exceptional revenue; it may be destroyed, and may cease to be received if their fears are well founded; if their fears are unfounded, then they have a steadily increasing revenue under that head. If your Grace and the Committee will refer to the expenditure you will see in substance they have a very large revenue indeed in comparison with the amount of traffic passing. You will see in the account for maintenance that, taking the year 1890 compared with 1889, they had 700*l.* in excess that year, and in the subsequent years 400*l.* and 500*l.* in each case, so that that exceptional expenditure which is anticipated for the purpose of maintenance and construction is something which we are already dealing with in the accounts as they stand. I submit that those figures of 700*l.*, 400*l.*, and 500*l.* increase over the year 1890, really represent what may be taken to be what the average of the increase in the future will always amount to. I take them on their own figures as to that. As regards Clare Castle, the Committee heard that Clare Castle is no longer within their jurisdiction. The charge is really more in the nature of capital, but it is a payment that is gradually decreasing, and in the

year

year 1910 will absolutely cease. Sundries you have had, and to Foynes Harbour, 1,000*l.*, and you had compensation in respect of Foynes Harbour another 1,600*l.* I did not in my calculations with Mr. O'Shaughnessy, take in the 645*l.* compensation as it is an exceptional matter; it is really a matter having no bearing upon the tolls fixed by the River Shannon; but excluding it, and giving them the benefit of the 645*l.*, he admitted that on the average of these five years they had a margin of 1,190*l.* upon which they are able to pay their debts. The actual margin on the existing tonnage is 1,190*l.* a year, and if they had provided the Clare Castle expenditure out of it, and they ought to be allowed to do it till the year 1910, then from their own figure, which is increasing, which I place before the Committee, they have an actual margin on an average of the five years of 750*l.* If that is so, Mr. FitzGerald admitted that next year they will start without any debt at all. The Clare Castle expenditure is increasing, and I say that if they have a margin of 700*l.* providing for every kind of exceptional expenditure, then the diminution of toll that would involve less receipts by 60*l.*, or even 300*l.*, which would be the total effect of our amendment of the Board of Trade Schedule is a reasonable diminution, and may be applied by the Committee for the public convenience of the traders along the navigation.

I think that really represents the case so far as the traders are concerned. We say we have a certain historical claim upon the consideration of Parliament so far as this navigation is concerned. We have spent 30,000*l.* out of our own pockets in developing it. We have conducted for the public advantage a constant service of boats along the navigation, a service which is admitted by all parties to be of great public importance, and we ask the Committee now to sanction the tolls fixed in our amendment which will prevent any ill-advised or ill-considered alteration of the actual tolls upon which we have developed our traffic. We say that if the Board of Trade Schedule and our amendment taken with the Board of Trade Schedule involves a diminution of revenue to the extent of 300*l.*, that that diminution can be met, and is likely to be met, by the gradual increase of tonnage proved by the figures in this year, that if 200*l.* or 300*l.* be the loss they have had up to the present time an average sum of 700*l.*, out of which to meet that loss, and by the year 1910 they will have an average margin of about 1,100*l.* a year. Upon the figures which I put to Mr. O'Shaughnessy out of the Blue Book, taking in 1893 to 1894, that margin was over 1,200*l.* approximating to 1,300*l.* If that is so, if after paying all their exceptional expenditure, and keeping the navigation in proper repair, because their own report says that every jetty, quay, and lock is kept in proper repair; if after taking all these expenses, they have in this year a margin of profit of 1,200*l.*; then I submit to the Committee they can justly and rightly protect the traders upon the Upper Navigation, even if it involves a paper loss of 300*l.* a year.

Mr. *Richardson.*] What dividends do the Grand Canal pay?

Mr. *Whitehead.*] They pay 3 per cent. and 3½ per cent.

Lord *Hawkesbury.*] Have you any connection with any railway?

Mr. *Whitehead.*] There is competition with a railway, and you will hear by the evidence that if a higher toll is fixed, the traffic will go on the railway. Your Lordship sees that for the traffic from Dublin to Athlone there is railway competition, and that traffic amongst others, our amendment seeks to protect.

Mr. *J. D. FitzGerald.*] I cannot accept the figures that my learned friend has given to the Committee, that there has been a surplus of 1,100*l.* a year upon the receipts of the navigation, and perhaps your Grace will let me recall the accountant to make it clear. It is not desirable that there should be any dispute about it.

MR. OCTAVIUS H. BRADDELL is re called; and further Examined.

Mr. *J. D. FitzGerald.*

7811. LOOKING at the Table you have prepared, it appears that when it commenced on the 1st April 1888 your over-draft was 3,478*l.*?—It was.

7812. Then, in five years ending the 31st March 1893, you had reduced that over-draft to 1,660*l.*?—Yes.

7813. That is, you had reduced the over-draft by 1,818*l.*, showing a profit each year of 363*l.*?—Yes.

7814. In the next half-year you appear to have still further reduced the over-draft, 945*l.*?—Yes.

7815. And you said you hoped to pay off the whole over-draft in the course of the present year?—Yes.

7816. Is it correct, as put by my learned friend, that you had a surplus revenue of 1,100*l.* a year during the five years?—I do not think so.

Cross-examined by Mr. *Whitehead.*

7817. You paid how much back to the bank in the five years?—We overdrew that particular part of the cash account 3,478*l.*; it stood that way on the 1st April 1888. On the 31st March 1893 it stood at 1,660*l.*, or a difference of 1,800*l.*; the average of the reduction of the over-draft for the five years would thus be 360*l.*

7818. Then, in addition to that, you paid yearly on Clare Castle expenses sums ranging from 507*l.* to 452*l.*?—That is included in the reduction. That is included in the expenditure which is taken into account in calculating the over-draught.

7819. But you did pay it?—It was paid.

7820. You repaid the over-draft?—We paid it and reduced the over-draft.

7821. And compensation?—£645.

7822. You paid 1,000*l.* to Foynes Harbour?—Yes, that is included in "Sundries."

Mr. *Whitehead*—continued.

7823. That is 1,600*l.*?—£1,600.

7824. That is about 300*l.* a year on the average of the five years?—If those had not been paid the over-draft would have disappeared.

7825. That is what I thought; so that if you had not paid compensation 645*l.*, and to Foynes Harbour 1,000*l.*; that is 1,645*l.* the over-draft of 1,600*l.* would have been swept away?—Yes.

7826. I was in error to this extent, I credited you in those five years with repaying 2,500*l.* off your debt; in the five years you really re-paid 1,800*l.*?—That is it.

7827. That is an error in my calculation to the extent of 700*l.* divided by five, and it comes to 100*l.*?—Yes.

7828. On the basis of my figures, instead of having a margin of 1,190*l.* it would reduce it to a margin of 1,000*l.*, taking off 1,050*l.*; you may differ with me as to whether that is the proper way of making the calculation, but if my principle is sound, it would have the effect of reducing that figure of 1,190*l.* by 140*l.*; to 1,050*l.*?—Perhaps so. I do not see the way you are following it out. I am not prepared to contest it.

[The Witness is directed to withdraw.

MR. JAMES KIRTLAND, is called in; and, having been Sworn, is Examined, as follows:

Mr. *Whitehead.*

7829. YOU are General Manager of the Grand Canal Company?—Yes.

7830. That canal connects with the River Shannon at Shannon Harbour?—It does.

7831. You, I believe, maintain a regular service of boats on the Shannon Navigation?—We do.

7832. Passing from the Shannon Harbour to Limerick?—Yes.

7833. Does your service pass from Shannon Harbour to Carrick?—Yes.

7834. Is it a regular service?—It is.

7835. What amount do you pay to the Commissioners of the Shannon for tolls in the course of the year?—It has been an increasing quantity the last few years. The last year we paid between 1,800*l.* and 1,900*l.*

Sir *William Houldsworth.*

7836. Up to March 1894?—Up to the end of 1893.

Mr. *Whitehead.*

7837. What is the tonnage that you send over the canal?—Fifty thousand tons.

7838. What is the tonnage altogether sent over the navigation?—I think I had it from some of their own witnesses about 56,000 tons; 50,805 tons we sent over their system in 1893, the year it was taken out, and in the year 1894 the traffic somewhat increased, that is on the Shannon Commissioner's system; between Limerick and Carrick-on-Shannon.

7839. I do not want to go into detail; you were in the room when I made certain statements with regard to the history of the tolls of the canal, and you heard the description I gave of the canal?—Yes.

7840. Do you confirm it generally?—Yes, I do; your historical facts are easily proved, because we have had the documents.

7841. Now go to the tolls upon the lower part of the navigation, for the traffic passing to Limerick; you accept the Board of Trade Schedule?—We do.

7842. Do you confirm the description I gave of the navigation between Killaloe and Limerick?—Yes, there is more artificial canal; the upper portion of the canal is a river, it is a canalised river to a considerable extent. From Killaloe to Limerick there are about a dozen locks upon the 15 miles.

Mr. *Whitehead*—continued.

7843. That differs substantially from the upper part of the navigation?—Yes.

7843*. Upon the lower part, between Killaloe and Limerick, you will pay a toll at a lower rate?—Yes.

7844. The rate fixed by the Board of Trade?—Yes.

7845. That would apply to the total length of the journey, not merely that portion upon the canal between Limerick and Killaloe?—We are willing to pay it if it touches the canal at all.

7846. That toll of the Board of trade is lower than the existing toll?—Yes, 8*d.*

7847. Will you give the Committee your views upon the question of the reduction of the tolls from 12½*d.* down to 9½*d.* from the Shannon Harbour to Limerick; is that a desirable reduction or an undesirable reduction?—It is a very desirable reduction.

7848. Will you tell the Committee why?—The principal traffic that we carry from Dublin to Limerick is porter, and our rate from Dublin to Limerick is 12*s.* per ton.

7849. Your carrying rate?—Yes.

7850. Carrying over your canal and then on the Shannon?—We send it from Dublin to Limerick, paying the Shannon Commissioner's tolls and paying our own tolls and our own cost of boats and everything, at 12*s.* a ton, our rate to Shannon Harbour or our station there joining the Shannon is 11*s.* 4*d.*; if you add to the 11*s.* 4*d.* the shilling to the Shannon Commissioners, we carry to Limerick cheaper than we carry the 52 miles, a shorter distance.

7851. At Limerick you are in competition with the railway company?—Yes.

7852. Does that competition compel you to reduce your rates to 12*s.*?—Yes, we have reduced our rates from 21*s.* to 12*s.*

7853. When was the rate 21*s.*?—In the city of Dublin Company's time; you see it in evidence to-day that in 1853 they agreed to reduce it to 21*s.* on the Commissioners reducing the tolls to 6*d.* They reduced it from 25*s.* to 21*s.* from Dublin, the Shannon Commissioners agreeing to reduce the tolls to 6*d.*, and the Grand Canal Company agreeing to reduce the tolls from 5*s.* to 3*s.* At that time it was the City of Dublin Steam Packet Company and the traders, the Grand Canal Company were only toll-takers, not carriers.

7854. And

Mr. *Whitehead*—continued.

7854. And now you carry for 12*s.* instead of 21s.?—Yes.

7855. And the present charge from Limerick to Shannon Harbour is 12½*d.*?—Yes.

7856. I want to compare that with the proposals of the Board of Trade. You accept the Board of Trade proposal, 11½*d.*?—Yes.

7857. That is the halfway house between 6*d.* and 1*s.*?—Yes.

7858. Are you content with that figure of the Board of Trade?—We are content.

Chairman.] But only for a portion of the distance.

Mr. *Whitehead.*] Yes. The tolls and rates on the Grand Canal between Shannon Harbour and Dublin are fixed by another Schedule which has already passed the Committee, those tolls are not material to the matter now being discussed.

Chairman.] He was giving evidence with reference to traffic from Dublin to Limerick; now you ask upon the portion from Killaloe to Limerick.

Mr. *Whitehead.*

7859. From Shannon Harbour to Limerick, that being the only portion of the total journey which is on the Shannon Navigation. (To the *Witness.*) Would that toll of 9½*d.* proposed by the Board of Trade enable you to compete successfully with the railway company for Dublin traffic to Limerick?—It would put us in a better position for competition.

7860. Have you made any arrangements with the railway company, or are you in *bonâ fide* active competition with them at that point?—In the most active competition. They quote equal rates with the canal, and their solicitor last week wrote demanding all our rates to every station advertised upon our system for the purpose of going at us.

7861. Do you compete with them at Portumna?—Yes, they go to Parsonstown, where there is a station, but they have to cart eight or ten miles, so that virtually the Portumna traffic is in our own hands.

7862. In some places you are subject to railway competition and *bonâ fide* competition?—Nine-tenths of our traffic is subject to the competition of two of the principal railways in Ireland.

7863. In addition to that, do you send from places along the navigation where there is no railway accommodation?—Some small places.

7864. If higher tolls were fixed along the Upper Navigation, would you be able to continue to supply those places?—No, because Guinness and Co. have threatened to withdraw the traffic from us if the rates are increased, and if we lose Guinness' traffic we may stop the boats altogether, because we always calculate on getting a certain amount of traffic from Guinness and Co., and we trust to fate for the rest; so if their trade was taken from us the rest must find its way by some other route.

7865. Will you place before the Committee a comparison of your actual tolls with the Board of Trade Schedule; take first of all Shannon Harbour up to Carrick, what is the actual toll now; it is 9½*d.*, is it not?—Yes.

(0.161.)

Mr. *Whitehead*—continued.

7866. Is the distance from Shannon Harbour up to Carrick 45 miles?—Yes.

7867. Take the Board of Trade figures for the first 10 miles, 0·45*d.* works out at 4½*d.*, then 35½ miles at 0.25*d.* works out at 8·87*d.*?—Yes.

Chairman.] Mr. O'Shaughnessy has told us all this.

Mr. *Whitehead.*

7868. I will not go into that. (To the *Witness.*) Now take your Grand Canal proposal, for the first 10 miles 0.40*d.*, which works out at 4*d.*?—Yes.

7869. The next 10½ miles at 0·15*d.* works out at 1½*d.*?—Yes.

7870. And the remaining 25½ miles at 0·10*d.* works out at 2·55*d.*?—Yes.

7871. Making a total of 9·05*d.*?—Yes.

7872. Comparing with the 8·87*d.* under the Board of Trade figures?—Yes.

7873. From Shannon Harbour up to Carrick?—Yes.

7874. Can you tell the Committee what the toll was from Shannon Harbour to Carrick between 1853 and 1873?—No, I have not those figures.

7875. Your proposal practically covers the existing rate of 9*d.*?—Yes; I find it was 5½*d.* from Shannon Harbour to Carrick between 1853 and 1873, and in 1873 it was raised to 9½*d.*

Chairman.] I do not think that is material, because we know what is actually charged.

Mr. *Whitehead.*

7876. When the increase was made from 9*d.* to 1*s.* in 1873, were you represented before the Commissioners in Ireland or before the Treasury in this country?—No; we only got intimation that the tolls had been raised; it was before my time.

Chairman.] He only knows this by hearsay.

Mr. *Whitehead.*] He represents the canal company, who are a continuous corporation; he has searched the records, and is their representative; he could make a statement of that kind.

Chairman.] I do not think it is very material.

Witness.] If I had been connected with it at that time the Treasury would have been appealed to. Unfortunately I was not.

Chairman.

7877. You did appeal in 1882?—We did, and successfully.

Cross-examined by Mr. *J. D. FitzGerald.*

7878. That shows that the Treasury is a protection?—In 1882 it was a protection.

7879. You act as carriers yourselves?—Yes.

7880. And you quote through rates from Dublin?—Yes.

7881. And, of course, the lower rate you can get on the Shannon Navigation, the better for you?—Certainly.

7882. When did this trade in Guinness's

Mr. *J. D. FitzGerald*—continued.

porter grow up?—It is a matter of ancient history on the canal. I believe the connection of the canal with Guinness's is of very old standing.

7883. It has grown up under the existing rates, has it not?—No tunder the existing rates; you have just heard that it was 21*s.* a ton 30 years ago, and now it is down to 12*s.*

7883*. Since 1873 this has been an increasing traffic?—Yes, slightly; there has not been a very great increase about it.

7884. You practically get the whole of it that goes to Limerick?—There are some consignments by railway.

7885. In frosty weather?—In a case of hurry.

7886. Practically you get the whole?—Practically we have a great portion of the traffic.

7887. So under the existing rates you have been able to compete successfully with the railway, so far as Guinness's traffic is concerned?—We get a good deal of Guinness's traffic.

7888. What proportion of your total tolls that you pay does Guinness's traffic represent?—Twenty-three thousand tons is Guinness's, out of 50,000 tons altogether.

7889. That would be about one-half?—A little under one-half.

7890. How long has the 12*s.* through rate from Dublin to Limerick been in existence?—I cannot exactly tell you, something like the last 12 or 14 years; probably Guinness's representative will be able to give you that.

7891. At any rate, it is not a recent thing?—It is not a thing of yesterday.

7892. Have you considered at all what is to happen if there should be a deficit in the income of the Shannon Navigation?—No; I have not contemplated that because it is so remote.

7893. It has not been contemplated; there was a very considerable deficit as short a time ago as 1888?—Through the policy of the Board of Works, in mixing up the two different portions of the navigation. The lower navigation, as far as that is concerned, has no more to do with the fresh-water portion of the Shannon than the ancient monuments of Ireland, which the Board of Works also superintend. There is no traffic interchanged between the two systems whatever; there should have been separate accounts kept of each; we are taxed for the support of salt-water piers, which we never go near and have nothing to do with.

7894. Suppose a deficit to come into existence in the future, is it your view that that should be made up out of the public purse?—We are in the habit of meeting so many things out of the public purse in Ireland that it is hard to say.

7895. What you would like to see is the Shannon Navigation kept up as a free navigation at the expense of the public?—I would like to see all the navigations in the three kingdoms kept up at the expense of the public and for the public.

7896. The result of that would be very beneficial to the Grand Canal Company?—I do not know that it would.

7897. The result would be that they would get the whole of the through rate, and would have no deduction to pay in respect of tolls on the Shannon Navigation?—People would have to pay it in taxes, and they would get reduced rates.

7898. Is not that what your company is aiming at?—No.

Re-examined by Mr. *Whitehead.*

7899. You think that a rather ridiculous suggestion, but if that happened, do you think the traders would continue to pay the same rate to you?—No; if it was a free waterway, the traders would not pay the same rates.

[The Witness is directed to withdraw.

Mr. P. J. O'CONNOR GLYNN is called in; and, having been sworn, is Examined, as follows:

Mr. *Whitehead.*

7900. You are manager of the cask department of Arthur Guinness and Company Limited?—I am.

7901. And you have the control over all matters in connection with the forwarding of goods?—Not in connection with the forwarding of goods. I have the control of all matters in connection with the question of freights.

7902. The freights over the Grand Canal and the River Shannon, which are paid indirectly by Messrs. Guinness and Company, are under your supervision?—Yes; some are paid directly, and some are paid indirectly; all on to Limerick are paid directly, because we have our own stores there.

7903. And you pay all those directly?—Yes.

7904. Do you carry in your own boats?—No; the Grand Canal Company are our carriers; they supply the boats.

Mr. *Whitehead*—continued.

7905. You have heard Mr. Kirtland's evidence?—Yes.

7906. He referred to your own traffic on the River Shannon; do you generally confirm that?—I do.

7907. Suppose higher tolls were put in force on the Upper Shannon, would you then continue to send your goods by the Grand Canal and the River Shannon?—No; we should discontinue immediately.

7908. You would send your traffic by other means of conveyance?—To the majority of places we have railway communication; in the case of others, we should be obliged to put on a system of cartage.

7909. Cartage to and from railway stations?—Yes, from local stores that would be served by the railway.

7910. Would that apply not only to the upper navigation, but also to the lower navigation?—Yes,

Mr. *Whitehead*—continued.

Yes, in some cases it would be a very great hardship on some of our customers, as the cartage would be very long.

7911. Have you considered the amendment put forward by the Grand Canal Company proposing lower tolls upon the upper part of the navigation?—Yes.

7912. Upon traffic which is confined to the upper parts?—Yes.

7913. Is that an amendment which you yourself would approve of?—Certainly.

Chairman.

7914. That is to say, the Grand Canal Company propose lower tolls?—The Grand Canal Company propose, with the concurrence of Guinness and Company, lower tolls.

7915. Upon the upper part?—Yes, on the upper part.

7916. Lower than what are charged now?—No, I do not think so. I think in that case our proposals are hardly to that extent; they are very slightly lower in some few cases, in other cases they are the same.

7917. The Grand Canal Company propose lower tolls on the upper part; are the tolls on the upper part lower than you are paying now?—In a few cases, yes. It is not quite correct to say the upper part alone, you must take both, the upper part and the lower part.

Sir *William Houldsworth.*

7918. It is the upper part as regards Killaloe?—Yes, quite so.

Sir *William Houldsworth.*] From Killaloe to Carrick.

Chairman.

7919. I understood you to say that the proposal of the Grand Canal Company is to charge a lower toll on the upper part; then I want to know whether they are lower tolls than what you pay now?—The proposal of the Grand Canal Company affects the upper navigation to this extent—that in some points the tolls would be lower, and in others the tolls would be higher; but it is impossible to devise any proposal by which you could meet all the different points above Killaloe.

7920. You find you can send your goods at the present tolls?—Yes, that is so; the Scarriff toll proposed by the Grand Canal Company is very much higher than what we are paying at the present time; the same applies to Portumna, the same applies to Dromineer, the same applies to Williamstown, the same applies to Shannon Bridge, the same applies to Banagher; while, on the other hand, the lower tolls by the proposed amendment would be to Athlone, Lanesborough, Rosskey, while at Carrick we would possibly have the same rate.

7921. Lower tolls than at present?—In one sense, and higher tolls in the other.

7922. You mentioned that there would be lower tolls to Athlone?—There will be lower tolls to Athlone, Limerick, and Rosskey.

7923. The proposal of the Grand Canal Company is to have lower tolls over that portion of the navigation, but you now send your traffic and pay higher tolls?—Yes, at the present

Chairman—continued.

time we do to the few stations I mentioned: but the trade at these stations is very small indeed. The difficulty was to make a proposal that would cover all the stations, and that was found utterly impossible. As you see by the black line, it goes up and down.

Mr. *Whitehead.*

7924. Let us take the diagram; your proposal covers the existing toll to Banagher?—Yes.

7925. Your proposal covers the existing toll to Shannon Bridge?—Yes.

7926. To Portumna?—Yes.

7927. To Killaloe?—There is a question about that; I believe Killaloe is supposed to use part of the main canal, and consequently it does not apply to Killaloe.

7928. The higher toll would cover the existing toll?—Yes.

7929. Take Dromineer?—Dromineer would be covered by the proposal of the Canal Company.

7930. Take Scariff?—Scariff would be covered.

7931. Take Athlone?—Athlone would not be covered.

7932. There seems to be a difference of about a halfpenny?—Yes.

7933. In the case of Lanesborough there would be a difference of about a farthing?—About that.

7934. As regards Limerick, your amendment does not affect that?—No, that is a different proposal altogether.

7935. As regards Rosskey there is a difference of 1½*d.*?—Yes; the trade there is very small.

7936. At Carrick you say it would be the same rate?—Yes.

7937. Have you worked out in detail what the effect in money would be of your amendment; take some typical traffic, Shannon Harbour to Athlone; I see there your proposed toll leaves a slight diminution in your diagram?—Yes.

7938. What does that work out at on the year's traffic?—£31 9*s.* would be the loss there; the loss to the revenue of the Shannon Navigation.

7939. You are proposing an amendment that would reduce the tolls upon a certain kind of traffic upon the upper navigation?—Yes.

7940. What would be the effect in money in the course of the year of that proposal as compared with the Board of Trade's Schedule; what would you gain in the year?—£63 10*s.* 8*d.*

7941. Is that 63*l.* on your own traffic?—No, the whole traffic on the navigation.

Mr. *Richardson.*] The Board of Trade Scale is less than the present scale; what is the difference between your proposal and the present scale.

Mr. *Whitehead.*

7942. I will take it in two steps. (To the *Witness.*) Under the Board of Trade Schedule the traders generally make a gain upon the lower navigation?—Yes.

7963. How much?—£258 0*s.* 11*d.*

7964. The whole traffic?—Yes.

Mr. *Whitehead*—continued.

7965. What further gain does your amendment give?—£63 10*s.* 8*d.*

7966. Making together 322*l.*?—Yes, and then there would be a loss of 140*l.*

7967. If your amendment is accepted and the Board of Trade figures are accepted for the lower navigation, the total result would be to reduce the actual revenue by 322*l.*?—Yes.

7948. If the Board of Trade figures are accepted and put in force upon the upper navigation how much would you lose against your actual rates?—£140 12*s.* 6*d.*

7949. To what extent would your amendment reduce that loss of 140*l.* on the upper navigation?—£1 10*s.* 11*d.*

7950. So in substance your amendment would give a small margin over the actual tolls?—Yes.

7951. But speaking generally it would cover them?—Yes.

Cross-examined by Mr. *J. D. FitzGerald.*

7952. Are you afraid that the tolls would be raised?—No, not in the least.

7953. In giving that answer do you confine it to the upper river or do you apply it to the whole river?—I apply it to every portion of the Shannon.

7954. You do not apprehend that the tolls would be raised?—No, I have not the slightest fear that they would. On behalf of Messrs. Guinness and Company my answer is, we have not the slightest fear that the tolls on Shannon would be raised from what they are at the present time. I should qualify that by saying that in the event of any increase in the tolls or any proposal to increase them we should withdraw over Limerick traffic from the Shannon.

Chairman.

7955. You are content with matters as they are?—No, we are not content. At present we are carrying a very large portion of our traffic to Limerick at a rate which is not as remunerative to us as the rate by the railway. To explain that, I should say that the railway system is in direct connection with our own yard. We load anything for Limerick directly into the waggons and it goes through in one evening. In the case of the canal it is different; we have to cart very nearly three-quarters of a mile up a steep hill, and then load the traffic into the company's boat, in which it is carried on to Limerick. Then the position in Limerick of the Canal Company's stores is rather remote from the centre of the town, more remote than the railway. Consequently the handling of the traffic costs us a great deal more.

7956. Notwithstanding those inconveniences, you still send by canal?—Yes, because it has the effect of keeping the railway rates down.

7957. You have this advantage; you play off the one against the other?—That is so. The Grand Canal Company have always met us in making the very best arrangements possible, and we should be very sorry if anything should arise to break off the connection between us.

Mr. *J. D. FitzGerald.*

7958. At the existing rates, Messrs. Guinness find they can trade successfully?—Yes. We have latterly had a strong opposition, and I think, probably, we would like to make a reduction.

7959. Nevertheless, the toll you have had to pay has not reduced the dividend of Guinness and Company?—No.

Re-examined by Mr. *Whitehead.*

7960. Though you have railway accommodation, you send by canal?—Yes.

7961. Do you send chiefly by the canal?—No, not chiefly, but we send as much as possible, and where we have the direct control ourselves, we invariably select the canal as the means of carrying our traffic.

7962. Would you prefer to have the canal kept open as an alternative route?—We should be very sorry if anything occurred to deprive us of the benefit of the canal.

[The Witness is directed to withdraw.

Mr. *Whitehead.*] That is our case.

Mr. *J. D. FitzGerald.*] I have only a few observations to address to the Committee——

Chairman.] We would like to hear what Mr. Pelham has to say before we hear you.

Mr. *Pelham.*] A great many Commissioners and public bodies who have come before the Board of Trade have contended that the Act does not apply to them, and we have here a Government Department, who also contend that the Act was not meant to apply to them; but it has been decided otherwise. There is no doubt that the Act of 1888 was drawn as widely as it possibly could be in order that the Board of Trade should have jurisdiction over every sort of inland navigation. Now it has been suggested that the control of the Treasury would be a sufficient protection to the traders. It is not necessary for me to say much about that; but I would point out that the local man who is on the spot knows whether a particular trade can bear a particular toll; but it is a very different thing if people have to come a long distance up to the Treasury. If the suggestion was made to the Treasury that a slight loss should be incurred in the tolls in the present year in order to develop traffic, I think it very likely the Treasury would say "No" at once. At any rate, the Treasury have no opportunity of inquiring as to the needs of the trade. However that may be, the Act of 1888 says nothing about the Treasury, but puts the duty of, in the first instance, fixing a just and reasonable toll, on the Board of Trade, subject to the revision of Parliament. Now the Board of Trade of course felt that in dealing with this canal they must deal with it on the same basis as other canals, at any rate, as other canals which were not being maintained for the purpose of profit; and therefore it was necessary for the Board of Trade to consider what was a just and reasonable rate, and they held that they were not at liberty to sanction a minimum toll which admittedly could never be put in force. If that would be the result,

it

it would be better at once to exclude the navigation from the Bill. The Board of Trade have always held that they could not exempt any canal from the provisions of the Act. The Manchester Ship Canal raised the question, and the Board of Trade said at once we can do nothing unless you apply to Parliament and get Parliament to say, by an Act of Parliament, that Sections 24 and 36 of the Act of 1888 shall not apply. This question has been very keenly contested by the traders both before the Board of Trade and also before this Committee, and I do not wish to say anything to prejudice the rights and the position of the traders in this case. I have only thought it right to throw out a hint that if the Committee thought that the tolls upon the lower part of the navigation ought to be raised, so as to cover existing charges, and perhaps give a little margin that the proper way would be to have a separate Table for any part of the distance between Killaloe and Limerick (the Committee understand that is the bottom of the lake; the lake is not part of the navigation) and that there should be a charge of per ton per mile of 0·50*d.*; that would be for 15 miles quite irrespective of distance, and it would cover existing charges. At the present time the toll from Killaloe to Limerick, a distance of 15 miles is 7½*d.*; the toll from Limerick to Shannon Harbour, 29¾ miles, would work out by this proposal at 13*d.*, the present charge is 12½*d.* The Committee will understand that besides 0·50*d.*, being higher than 0·45*d.* in the first column of the Schedule of the Board of Trade, it would also be an additional charge, because at present if the traffic came down from Shannon Harbour to Limerick it would pay upon that part only 0·25*d.* per mile, because it would be beyond the first 10 miles; but my proposal is that this should not be the initial distance 0·50*d.*, but should apply to all traffic whether the beginning or the end of the journey. I am not making this as a proposal, or taking upon myself to recommend the Committee to adopt it, because I do not wish to prejudice the case of the traders; but I say if they wish to cover it that is the best way of doing it. I had better not say anything about the Upper Shannon, as I do not wish to prejudice the case of the traders and their proposals.

Mr. *J. D. FitzGerald.*] I have only two or three words to say with regard to the case. I think I ought to point out with regard to what Mr. Whitehead has said with regard to the history of the changes of the tolls upon the navigation that the 6*d.* toll that he had referred to from Shannon Harbour to Limerick was brought into force in the year 1848, and your Grace will see at once, that owing to the extraordinary depressed circumstances of Ireland owing to the famine of the preceding year——

Chairman.] You need not go into that.

Mr. *J. D. FitzGerald.*] Since 1873 the present rates have been in force with the Treasury supervision. There is no complaint of the present rates, though it is perfectly true the traders would like a lower rate.

Mr. *Whitehead.*] I have a copy of a letter here which I can read.

Chairman.] I do not think it material.

Mr. *Whitehead.*] It is a letter sent from the office of Public Works in Dublin, dated the 15th of July 1848, which will show that the reason why the toll was reduced to 6*d.* was because there was going to be railway competition to Limerick.

Chairman.] I do not think it is material.

Mr. *J. D. FitzGerald.*] With regard to the actual rate there does not appear to be any complaint, and you see from the figures put in, that under the actual rate the revenue from tolls has been growing. The Grand Canal Company, the principal traders, have been doing very well, and the tolls paid during the year ending the 31st of March last, are larger than any tolls in the Table. Now, that being so, it does not appear that the traders have had any grievance under the actual rates at all. The specialty of this case with regard to the trade going upon it is that practically the Shannon Navigation seems to be a continuation of the Grand Canal, that is, that the bulk of the trade is brought on it by the Grand Canal Company acting as carriers. Of course the Grand Canal Company quote through rates, and it is their interest to keep the proportion that they have to pay to the Shannon Navigation as small as possible, because the balance goes into their own pockets; that practically is the reason why the Grand Canal Company is here to-day. I do not think that I need say anything more upon that point. But the real point that I submit to the Committee is, whether the circumstances of this case are not entirely special, and such as would induce the Committee to fix a Schedule of rates on a different basis from what they ordinarily act upon. The Committee has ordinarily acted upon the basis of fixing the Schedule of rates at something like the actual revenue. The Board of Trade have applied that principle in the present instance, but reduced the actual rates by about 250*l.* If my learned friend's proposal for the Grand Canal Company is accepted, it would create a further reduction, making the reduction 320*l.* in all. The special circumstances of the case are these, and there is no other case like it, that it is a canal worked by a Government Department merely for the maintenance, the tolls themselves not being anything like sufficient for maintenance, and it is from the other revenue of the Government Department, from the Fisheries and so forth, that the navigation is kept up at the present moment. That is not a point to be lost sight of, because ordinarily speaking the navigation is kept up entirely from the tolls received from the navigation. Here the traders have this special advantage, that from other sources of income this navigation is kept up for their benefit, and at no time in the years mentioned have the tolls been sufficient for the total maintenance of the navigation.

Then there is a further point, that the Commissioners are under Treasury control, and no alteration in the existing rates can be made without the assent of the Treasury. That being so, is it not reasonable that in fixing the margin you should have regard to these facts, and give, in the present case, a considerably higher margin above the actual rates that would be given in the case of an ordinary trading concern, or in the case of Commissioners who are deriving their whole

whole revenue from the tolls of the navigation and keeping up the navigation out of those tolls.

The alternative which has been pointed out to the Committee is this: if the revenue falls below what is necessary for keeping up the navigation, there must be an application to Parliament for funds; because it cannot be contemplated that, under any circumstances, Parliament would allow the navigation to become deficient. Under these circumstances, what the Committee have to decide is this: Should a deficit arise, is it to be met by the Vote of Parliament, and is that public money to be voted for the benefit of the public upon the navigation, or are the Commissioners to be placed in such a position that they can apply to the Treasury for the purpose of raising the rates and the revenue necessary? It is not necessary to refer to what Mr. O'Shaughnessy said about the possible increase in the maintenance and the possible decrease in the revenue. This must be taken into consideration; but having regard to the fact that the Treasury control is a real and effectual factor, and will be exercised in a proper way, and an increase of rates not allowed unnecessarily, I think that the Schedule put in by the Commissioners may be accepted by the Committee.

[The Committee consult.]

Chairman.] We accept the amendment proposed by the Board of Public Works for Ireland, less 40 per cent.

Mr. *J. D. FitzGerald.*] We shall make an alteration in the Schedule and carry out that decision.

Chairman.] You must do it at once.

Mr. *Pelham.*] You do not think it necessary to go into minute figures?

Chairman.] No.

Mr. *J. D. FitzGerald.*] I understand, instead of making the 25 per cent. reduction of the tolls you make a 40 per cent. reduction of the tolls?

Chairman.] No.

Mr. *Whitehead.*] The first amendment is upon page 13, line 21, after the word "shillings" at the end of that clause to insert a proviso. These are the facts. The clause as settled by the Board of Trade, without the proviso, is different from the ordinary empty-boat clause passed in other canals and navigations both in England and Ireland with no variation adverse to the traders. Our contention is that there is no such difference of circumstances upon this navigation as to justify the change being made against the traders. If the circumstances justify any change from the normal they are circumstances which justify the Committee in fixing a lower minimum empty boat-toll than upon the other navigations. The existing power of charge of the navigation at the present time is a shilling for each lock through which the empty boat passes, with a maximum not exceeding 4*s*. Your Grace will see under the clause for an empty boat passing through one or more locks on the navigation the Commissioners may charge the sum of 4*s*; so that upon all traffic passing through one or two or three locks this clause of the Board of Trade will give the Commissioners an increased power of charge. So far as we are concerned we accept that; if in other respects the traders are to be put upon the same footing as the other canals, that is to say, "Provided that such empty boat is not returning after delivering cargo in respect of which there has been paid to the company a toll of not less than four shillings, or is not on its way to load cargo in respect of which a like toll will become payable to the company." Your Grace will remember that this empty boat clause is based upon the principle that the company lose water when boats go through locks, and from an empty boat carrying no cargo they will get no tonnage rates. Here they have a natural supply of water, and there is no expenditure upon that head. Though that is a circumstance in favour of the trader, we do not ask the Committee to treat us in any exceptional way, but to put us upon exactly the same footing as we now are upon every other canal.

Mr. *J. D. FitzGerald.*] The effect of the amendment would be practically to annihilate the charge now made for empty boats, because 90 per cent., or even a higher per-centage of empty boats, are boats returning after leaving a cargo or going to fetch a cargo, and at present we are entitled under the Act of 1839, to charge a shilling in respect of each lock for an empty boat. The practice has been not to charge more than four shillings whatever the number of locks, and practically on almost every voyage a boat goes through more than four locks. So that the Board of Trade have in substance adopted what is the existing practice with this exception, that there is provision now under the Acts in force that on the Limerick navigation; that is, on the canal the payment has to be reduced to 6*d*. for each loch after the first. That is practically the only difference made by the Board of Trade from the existing practice. We shall be willing that the clause proposed by the Board of Trade should follow the existing practice in which case it would be something to this effect: "For any empty boat which passes through one or more locks upon the navigation, the Commissioners may charge the sum of one shilling for each lock provided the total amount to be charged shall not exceed four shillings in respect of any one journey, and that on the Limerick Canal the payment shall be reduced to sixpence for each lock after the first." That would be the existing practice, and would be more favourable some of the traders than the proposal of the Board of Trade; but we cannot consent to the proposition of the Grand Canal Company which would practically make an end to all tolls.

Mr. *Whitehead.*] I have not any reply upon my learned friend, but we wish to adhere to the general Schedule in this case.

Chairman.] What do you say as to the proposal of Mr. FitzGerald?

Mr. *Whitehead.*] I have not had an opportunity of considering it.

Chairman.] What do the Board of Trade say?

Mr. *J. D. FitzGerald.*] They propose a shilling for each lock, and the total payment not to exceed four shillings whatever the number of locks; and upon the Limerick Canal a reduction of sixpence to be made after the first.

Earl

Earl of *Lauderdale.*] With the same maximum of four shillings.

Mr. *Whitehead.*] That is an amendment in my favour to a certain extent, and not as much in my favour as the amendment I ask the Committee to adopt.

Chairman.] You do not accept it.

Mr. *Whitehead.*] No; I ask you to accept the general Schedule.

Mr. *Pelham.*] Your Grace, as you are aware, the general empty boat clause relates only to what I may call vagrant empty boats; but the Committee have sanctioned in several cases, even a returning empty boat making the charge where the power exists at the present time. This was a case where the power did exist, and the Board of Trade tried to interpret it as clearly as possible. But the proposal now made by Mr. FitzGerald is an improvement upon the Board of Trade proposals as regards the traders. I do not think the Board of Trade need express any opinion about that.

Chairman.] We accept Mr. FitzGerald's amendment.

Mr. *Pelham.*] May I refer to the decision of the Committee just now; 40 per cent. was to come off the proposals. I should just like to read the figures as they come. Class A., 0·25*d.*, the first figure becomes 0·15*d.*, and by the next column it is 0·9*d.* I want to know whether it is 0·9*d.* or 0·10*d.*

Chairman.] That is 0·10*d.*

Mr. *Pelham.*] In the next line the charge is 0·36*d.* I suppose we should call it 0·35*d*, the next 0·24*d.* will be made 0·25*d.*; that is B. The next one works out exactly, C. 0·75*d.*, but the second column is 0·48*d.*, which I presume will be put at 0·50*d.*

Chairman.] Yes.

Mr. *Pelham.*] The next Classes, 1 to 5, I suggest should be 0·80*d.*, it is 0·78 for 1.

Chairman.] 0·80*d.* for the whole.

Mr. *Pelham.*] The next column is 0·90*d.* put at 0·55*d.*, and the next one put at 0·55*d.*

Chairman.] I will read them to see that they are correct. For the first ten miles or any part of such distance, A. 0·15*d.*; for the remainder of the distance, 0·10*d.*; B. 0·35*d.*, and in the next column, 0·25*d.*; C. 0·75*d.*, and in the next column, 0·53*d.*, and then the Classes 1 to 5 inclusive would be 0·80*d.* for the first ten miles or any part of such distance, and the remainder of the distance, 0·55*d.*

Mr. *Whitehead.*] I have no more amendments; my learned friend Mr. FitzGerald has some.

Mr. *FitzGerald.*] The first amendment that stands in my name is page 13, line 29. It is merely for the purpose of making it clear what it refers to, "the term, 'the canal,' or 'the navigation,' means that portion of the River Shannon." Then insert: "and the canals in connection therewith," because there are certain that might not be called part of the River Shannon. Take the canal between Killaloe and Limerick.

Mr. *Pelham.*] It is all governed by "for the use of which."

Chairman.] We agree to that.

Mr. *J. D. FitzGerald.*] The next amendment I will not proceed with; but there is an amendment, that "the exception as to timber shall not apply," and that Clauses 11 and 12 shall not apply. After line 21, and the following new sub-sections: (IV.) I do not proceed with. (V.) and (VI.) I should ask the Committee to sanction, but I must confess it is a debateable point. If the Committee will turn to page 5 of the Provisional Order, they will see there the provision with regard to the measurement of timber. First, Clause 10: "The company may charge for a fraction of a ton, according to the number of quarters of a ton in that fraction, and a fraction of a quarter of a ton may be charged for as a quarter of a ton. For a fraction of a penny in the gross amount of toll and charges for any consignment for the entire distance conveyed, the company may charge a penny. Weight (except as hereinafter provided as to timber), shall be determined according to the imperial avoirdupois weight, which may be ascertained by actual weighing or by the tonnage gauges or indices of the boat containing the merchandise, but in case of dispute either the company or a bye-trader may insist upon an actual weighing, the cost of which, and of the necessary unloading and reloading, shall be borne by the party in error." Then Clause 11 relates to the weight of timber being provided for by management; it is the usual clause that it shall be measured in a particular way, and that a particular measurement shall represent a ton weight. Then Clause 12 is: "The company may demand that any trader or bye-trader shall forward a declaration to the company setting forth the true description and dimensions of timber conveyed by or for him and the cubic contents of the same. In the event of doubt as to the correctness of such declaration, the company may insist upon measuring the timber, the cost of which measuring, and of the necessary unloading and reloading, shall be borne by the party in error, or the company may demand either from the consignor or consignee of such timber, or from the bye-trader, a copy of the invoice of the timber and a statutory declaration of the correctness of the same. Upon failure or refusal, after reasonable notice, to furnish any of the aforesaid documents, the company shall have power to charge either the consignor or consignee, or the bye-trader, according to the avoirdupois weight of the timber, to be ascertained in the same manner as the weight of other merchandise." The position of the Shannon is this: The principal trade is small timber—larch, and fir, and timber of that description, cut in the woods adjoining the Shannon, and is put in the boats and conveyed down to Limerick, where it is shipped away to various places and used as pit-wood. It has always up to the present time been charged by weight, and I am informed that there is no person generally in charge of the timber when it is delivered on the navigation who would be capable of making the proper measurement or the declaration; and it would cause any amount of confusion and inconvenience of the present method of charging by weight was done away with, and this method of ascertaining the weight by measurement was substituted. I have spoken to my learned friend Mr. Whitehead,

and he has pointed out this difficulty, that on the Grand Canal Company's Schedule these Clauses 11 and 12 have been adopted, and consequently if the Grand Canal Company, for foreign timber, of which I believe they convey a certain quantity to Limerick, were charging a through rate, they would be placed in a difficulty, that the weight of timber would be ascertained upon their own canal in one way, and on the navigation in another way; and that, no doubt, is an objection. But the Commissioners feel so strongly the difficulties occurring on the Shannon with regard to the ordinary timber traffic, if these Clauses are adopted,—that Mr. O'Shaughnessy would like to submit it to the Committee and explain to them what the difficulty is.

Chairman.] The difficulty is in altering the Schedule.

Mr. *J. D. FitzGerald.*] The Grand Canal Company would be quoting a through rate per ton, I suppose.

Chairman.] Do they find any difficulty in getting it dealt with in that manner?

Mr. *J. D. FitzGerald.*] Mr. Whitehead pointed out that the difficulty may arise.

Mr. *Richardson.*] How do you propose to weigh the timber?

Mr. *J. D. FitzGerald.*] The boat is loaded with the timber, and you cannot weigh imported timber; that is the difficulty.

Sir *William Houldsworth.*] You want to weight one in one way, and one in another.

Mr. *Spicer.*] Is it not the fact that the way provided for in the Bill is the usual way.

Mr. *J. D. FitzGerald.*] It is the usual way in England.

Mr. *Spicer.*] Is it not merely a case of your people being educated up to the regular plan?

Mr. *J. D. FitzGerald.*] It is not our people, but the people bringing the timber down. Timber is cut by woodmen in the woods, and it is brought down to the shore.

Mr. *Richardson.*] They have no arrangement for weighing timber in the woods, and they would probably take the displacement in the barge, and find out what it weighs by the displacement.

Mr. *O'Shaughnessy.*] Under the circumstances, I shall not ask a consideration of this amendment.

Mr. *J. D. FitzGerald.*] The next amendment is "(vii.) Cattle, live stock, and animals shall be an exceptional charge, in addition to the other exceptional charge mentioned in Part II." This has becomes necessary for this reason: that there is a considerable traffic in pigs carried in boatloads; there is no provision in any of the classifications for such a traffic; they are not provided for, and therefore it is necessary that they should either form a subject of exceptional charge or should be added to one of the classes. This amendment was drawn on the footing of their being made an exceptional charge to be fixed from time to time by the Board of Trade, but it occurred to me that that involved an arbitration before the Board of Trade. The real object that we have in view would be equally well met if cattle and live stock were added to Class C.; therefore instead of the amendment as it stands shall I ask the Committee to agree that cattle, live stock, and animals shall be added to Class C. In the railway Schedules there is a special animal class which has been omitted in the canal Schedules.

Mr. *Whitehead.*] It would be convenient to have these articles placed in a class now rather than have a reference to the Board of Trade from time to time, but if the Committe refer to Section 13 of the Bill they see unenumerated articles go into Class B., so that this case is provided for by the Bill as it stands: and by the amendment that my learned friend will not accept these will go into Class B. and be subject to Class B. tolls. This is the first intimation that we have had that they were going to propose Class C. My clients tell me that the Class C. toll would be very much in excess of the existing actual toll. Therefore I ask the Committee to place them in Class B., which much more nearly approximates to the actual toll charged, 0·75*d.* The lowest line, the black line upon the diagram, represents the actual toll, their canal toll, and applies as much to cattle as to porter and other things. The upper line represents the toll if put into Class C., being above every actual rate at the present time. We ask that you should put it in Class B.

Chairman.] In Class B. your toll would include a couple of Dorking fowls?

Mr. *J. D. FitzGerald.*] They would be only carried in large quantities if they are carried at all.

Chairman.] It is not every animal that weighs a ton.

Mr. *J. D. FitzGerald.*] They would come within the word "animals," but if carried they must be carried in some class.

Chairman.] If you put them into Class B. that is provided for.

Mr. *J. D. FitzGerald.*] But when the Provisional Order was drawn it referred to the Board of Trade proposal which was 0·45*d.*; it has now been reduced to 0·35*d.*

Sir *William Houldsworth.*] Still that special section was in the Board of Trade Schedule?

Mr. *J. D. FitzGerald.*] The special section as put in by the Board of Trade would have given 0·45*d.*, whereas the Schedule now adopted by the Committee for Class B. only gives 0·35*d.* It is fairer, under all the circumstances, to put them into Class C., that is 0·75d. The effect of the opinion of the Committee is to give the Commissioners a practical margin in the case of eventualities.

MR. RICHARD O'SHAUGHNESSY is re-called; and further Examined, as follows:

Mr. *J. D. FitzGerald.*

7963. WOULD you explain what the effect of this would be?—May I put the case in this way? At present we charge ½*d.* per ton per mile for pigs, we carry them by the ton; if they are put in Class B. we shall be only entitled to charge 0·35*d.* for the first ten miles, and 0.25*d.* for the subsequent part of the journey; that is to say, on pigs, if you put them into Class B. there will be a reduction in our revenue. The pigs are an important part of the traffic with us. If you put them as Counsel suggests to-day into Class C., it will be 0·75*d.*, and 0·50*d.*, but we shall not charge 0·75*d.* and 0·50*d.*; as the understanding is that we do not go beyond our present actual rates, and will only charge 0·50*d.* for the first ten miles, and 0·50*d.* for the subsequent ten miles; therefore, the proposal to put them into Class C. is simply to retain practically our present charges.

Cross-examined by Mr. *Whitehead.*

7964. Would you be willing to put in the Schedule the clause your Counsel suggested, limiting your tolls in future to the present actual tolls?—Without the consent of the Treasury? Yes. We are giving a clause that we shall not raise our present actual tolls as they stand to-day without the consent of the Treasury. We shall not avail ourselves of the margin you have given us without the consent of the Treasury.

Chairman.] Then we have taken a great deal of trouble for nothing.

Witness.] We thank your Grace for the trouble you have taken.

Mr. *Whitehead.*

7965. Is it not the fact that if pigs and so forth are put in Class B. the only place where there would be reduction of actual tolls would be at Limerick,—traffic passing through Limerick?—From Limerick. But as I understand, it is a very important item of traffic passing from Limerick.

Mr. *J. D. FitzGerald.*] The practical effect of adopting this proposal of putting live stock in Class C. will be to enable the Commissioners to maintain actual rates, those rates not being varied without the consent of the Treasury.

Mr. *Pelham.*] In the case of carrying companies, cattle and live stock are put under "Exceptional charges," a reasonable sum to be determined in case of difference, by an arbitrator. The first three paragraphs have been struck out in the case of canal companies which only take toll, 1 and 2 do not apply. I cannot tell why 3 was struck out, but I think partly it was that on the canals in England cattle and live stock were never carried.

Chairman.] It is put in one of the Irish Bills, Part III., "exceptional charges," applicable to all the canals to which this Schedule applies, "For cattle," "live stock or animals," "such reasonable sum as the company may think fit in each case, to be determined in the case of dispute by an arbitrator to be appointed by the Board of Trade."

Mr. *J. D. FitzGerald.*] That was the first proposition that we put before the Committee, but we thought it better to get rid of the arbitration in Class C.

Mr. *Whitehead.*] I need hardly say that it is most inconvenient if the parties along the Shannon have to come over to have the question settled by the Board of Trade. I think Class B. is a reasonable class.

Chairman.] One is too low and the other is too high. If they undertake not to charge more than their present charge without the consent of the Treasury you would have protection.

Mr. *Whitehead.*] I think that ought to meet the case.

Chairman.] Put it in Class C.

Mr. *J. D. FitzGerald.*] I propose this clause to make the consent of the Treasury applicable: "The tolls and charges actually in force on the navigation at the passing of the Act, confirming this Order, shall not be increased, nor shall any alteration be made in the tolls and charges for the time being in force on the navigation without the consent of the Treasury."

Mr. *Whitehead.*] It contains these words: "Nor shall any alteration be made in the tolls and charges for the time being." That means any alteration in an upward direction. We are quite ready to have an alteration in favour of the traders reducing the charges without consulting the Treasury.

Mr. *J. D. FitzGerald.*] The present Clause is: "It shall be lawful for the Commissioners, and they are hereby authorised and empowered from time to time as they shall think fit, with the approbation of the Commissioners and the Treasury, to reduce any of the rates and tolls by this Act authorised, and afterwards from time to time to raise the tolls or any of them."

Chairman.] We pass that clause.

Mr. *J. D. FitzGerald.*

7966. I withdraw (VIII.). Then line 25, after "manure," insert "not being chemical manure in bags." You see the provision on page 14 of the Provisional Order: "The total amount of toll and wharfage charges in respect of lime, dung, compost, or other manure, limestone, building stone, turf, sand, gravel, or other materials for the repair of roads, conveyed in a boat on the navigation shall not exceed per boat-load threepence per mile or four shillings for any distance." That is a very low charge per boat-load, and for reasons which Mr. O'Shaughnessy will state, that it is thought desirable it should apply to chemical manure in bags, which is a much more expensive article. (To the *Witness.*) Will you state your reasons for desiring the amendment?—The reason, your Grace, is broadly this: that it is reasonable enough there should be

Mr. *J. D. FitzGerald*—continued.

be a low toll in respect of manure consisting of dung going in very large quantities, but where you deal with manure prepared by chemists, you compress a great quantity of manure into a very small compass, and it would be unreasonable that a scale which is only to apply to manure in a large bulky condition like dung should apply to a case like that.

7967. The exception to this amendment would place chemical manure under the ordinary table?—Yes.

Cross-examined by Mr. *Whitehead.*

7968. At the present time is there a large traffic in artificial manure on the canal under the existing tolls?—Yes.

7969. And the Schedule as fixed by the Board of Trade preserves those existing tolls on manure?—I do not know that.

7970. Have you the Schedule before you, page 14?—"The amount of toll and wharfage charges in respect of lime, dung, compost or other manure" "conveyed in a boat on the navigation, shall not exceed per boatload three-

Mr. *Whitehead*—continued.

pence per mile or four shillings for any distance." That preserves the low tolls under which virtually that large traffic has grown up?—Yes; I find that the present system of charging for manure in bags is by a four-shilling rate.

7971. And artificial manure gets the benefit of the existing low toll?—Yes.

7972. And having that toll the traffic has grown up?—Yes.

7973. The effect of your amendment would be to alter that statutory right?—Yes.

7974. To that extent you ask from this Committee something under your Act which you are not entitled to?—My attention being called to it I will not press it.

[The Witness is directed to withdraw.

Mr. *Pelham.*] There is the pleasure boats clause extending to passenger boats, the same as in Scotland. That may be put in. I have been asked by Mr. O'Shaughnessy to mention it.

Chairman.] Yes.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (No. 10) BILL.

Canals of Caledonian and North British Railway Companies.

Caledonian Canal.

Mr. *Pelham.*] In the case of the Caledonian Canal all matters are agreed upon though the form is not quite ready, and I bring it forward as an agreement between the parties. Will your Grace pass it formally?

Chairman.] Yes.

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BRIDGEWATER CANAL:

1. *Petitions against Provisional Order (No. 2) Bill.*
2. *Length and Capacity of the Canal; large Traffic carried.*
3. *Summary of Income and Expenditure before and since Purchase by the Manchester Ship Canal Company.*
4. *Tolls and Charges; Amendment proposed on the part of the Ship Canal Company, and adopted by the Committee.*
5. *Loading and Unloading.*
6. *Steam Haulage.*
7. *Terminal Services.*
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9. *Summary of Proceedings.*

1. *Petitions against Provisional Order (No. 2) Bill:*

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2. *Length and Capacity of the Canal; large Traffic carried:*

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4. *Tolls and Charges; Amendment proposed on the part of the Ship Canal Company, and adopted by the Committee:*

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Reply to objections on the part of the Mining Association with reference to the effect of the proposals on the part of the canal and on the part of the Board of Trade

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Bridgewater Canal—continued.

4. *Toll and Charges; Amendment proposed, &c.*—continued.

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6. *Steam Haulage:*

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BRIDGEWATER CANAL—continued.

6. *Steam Haulage*—continued.

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8. *Exemptions:*

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9. *Summary of Proceedings:*

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Cafferata, Redmond Parker. (Analysis of his Evidence.)—Witness, who is a plaster manufacturer at Newark, submits particulars respecting the traffic in plaster on the Trent Navigation, and contends that the traffic will disappear altogether from the Trent if the tolls be doubled; decided objection to any increase of the present charge, 4369–4407.

CALDER AND HEBBLE NAVIGATION:

1. *Petitions against Provisional Order.*
2. *Description of the Navigation, with information as to Existing Tolls, &c.*
3. *Conflicting Evidence on the question of Bonus Mileage; adoption by the Committee of the proposals of the Board of Trade.*
4. *Summary of Proceedings.*

1. *Petitions against Provisional Order:*

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2. *Description of the Navigation, with information as to Existing Tolls, &c.:*

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3. *Conflicting Evidence on the question of Bonus Mileage; adoption by the Committee of the proposals of the Board of Trade:*

Explanation that witness has based his calculations adverse to the bonus mileage proposed by the Board of Trade, or by the company, mainly upon the figures put before the Board by the company itself, *Impey* 4667–4680. 4694–4701.——Evidence and statistics in detail in support of amendment proposed on the part of the Mansion House Association in lieu of the bonus mileage proposed by the Board of Trade, or of that advocated by the company, *ib.* 4676 *et seq.*

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CALDER AND HEBBLE NAVIGATION—continued.

3. *Conflicting Evidence on the question of Bonus Mileage, &c.*—continued.

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CALEDONIAN AND NORTH BRITISH RAILWAY COMPANIES:

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Cam (River) Navigation. Several petitions against Provisional Order (No. 8) Bill, as regards the River Cam Navigation, *p.* 587, 588.

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Chester, William Reginald. (Analysis of his Evidence.)—Witness, who is gas manager and engineer to the Nottingham Corporation, explains the sources of supply in the lower reaches of the Nottingham Canal, and submits that a charge of 5*s.* as the minimum toll for the loss of one lock of water is sufficient, a bonus mileage being unnecessary 516–551.

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Coal. See *the Headings generally throughout the Index.*

Collier, William H. (Analysis of his Evidence.)—Witness is general manager of the Bridgewater, &c., Canals, now the property of the Manchester Ship Canal Company, 1926.

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Large capacity of the canal, whilst the whole length is of one level, there being locks only at the Runcorn and Manchester ends, 1938–1942——Existence of the canal for 125 years, the toll on the original undertaking and on certain extensions being 2*s.* 6*d.* per ton, irrespective of class or distance, 1943–1947——Toll of 6*d.* or 4*d.* on boats upon the Runcorn and Weston Canal, the latter applying when a lock is not used, 1948.

Charge of the maximum tolls only on the more valuable classes of goods going the entire distance from Runcorn to Manchester, 1949——Belief that the tolls actually charged are satisfactory to the trade generally; modification proposed, however, upon the lines of the Leeds and Liverpool Canal Schedule, 1950–1956. 1969–1971——Large traffic upon the Bridgewater Canal up to the capacity of the locks at either end; obstacles to any increase so as to recoup for reduction of tolls, 1957–1961. 1972–1975.

Calculation that there would be a loss of 4,217*l.* a year under the scheme proposed on behalf of the canal, a loss of 15,038*l.* under the Mansion House proposals, and a loss of 9,583*l.* under the proposals of the Board of Trade, whereas there is no good reason for any loss, 1962–1981. 1986, 1987. 1999–2008——Bonus mileage proposed as regards the locks at Runcorn, so as to compensate somewhat for the reductions; precedent of the Leeds and Liverpool Canal followed in this respect, the Board of Trade assenting to this portion of the scheme, 1982–1985.

Antecedents of the canal previously to its purchase by the Manchester Ship Canal Company in 1885 for the sum of 1,710,000*l.*, the net income having been about 60,000*l.* a year; net revenue of about 58,000*l.*, now returned, 1988–2008——Considerable outlay on improvements since the purchase by the Canal Company, 1996–1998——Explanations respecting the detailed modifications proposed by the canal authorities as regards not only rates and tolls but classification; comparison with the Board of Trade proposals, 2009–2028. 2071–2082——Expediency of a maximum as to tolls, in the absence of competition; less importance of a regulation of rates, 2018–2028. 2066–2070.

Reply to objections on the part of the Mining Association with reference to the effect of the proposals on the part of the canal, and on the part of the Board of Trade as regards the coal traffic; denial that there would be any increase in the case of coal from the Astley and Tyldesley collieries, 2029–2046. 2058–2060——Readiness expressed to be bound not to raise any tolls whatever, subject to a small reservation at the Runcorn end, 2041. 2061–2065. 2083–2088——Calculated loss upon coal by the canal proposals and the Board of Trade proposals, respectively, 2042–2046——Great expense in working the locks, so that a bonus mileage is only reasonable, 2047–2057.

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Hewett, Dr. David Basil. (Analysis of his Evidence.)—Grounds for strongly objecting on the part of Messrs. Brunner, Mond and Co., to the enhanced tolls proposed for limestone passing over the Macclesfied Canal; low value of limestone, so that the tolls already form a serious proportion of the total cost, 1496–1527.

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HUDDERSFIELD CANAL:

1. *Sundry Particulars respecting this Navigation, and the Difficulties and Cost of Maintenance and Working.*
2. *Tolls Charged and Amount of Traffic; Bad Financial Results.*
3. *Amended Charges proposed on the part of the London and North Western Company, in lieu of the Proposals of the Board of Trade; Decision of the Committee not to accept the Company's Amendment.*
4. *Charge for Minimum Boat Loads.*

1. *Sundry Particulars respecting this Navigation, and the Difficulties and Cost of Maintenance and Working:*

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2. *Tolls Charged and Amount of Traffic; Bad Financial Results*—continued.

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Ilkeston. See *Erewash Canal.*

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Kennet and Avon Canal—continued.

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7. *Charge on Plaster; modification adopted by the Committee.*
8. *Total Traffic of the Corporation of Nottingham; Tolls paid and effect of the Provisional Order.*
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18. *Summary af Proceedings.*

1. *Petitions against the Provisional Order :*

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2. *Constitution of the Weaver Trust :*

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3. *Description of the Navigation and Works; large Outlay necessary for Maintenance and Improvements :*

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4. *Concurrence of Evidence adverse to any reduction of the Toll of* 1*s. a Ton upon Salt :*

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4. *Concurrence of Evidence adverse to any reduction, &c.*—continued.

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5. *Evidence from Liverpool strongly in favour of a reduction of the Salt Toll:*

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6. *Representations on the part of the Salt Union as to the undue pressure of the present Toll:*

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Maximum toll charged upon salt, the toll in proportion to value, being very much greater than in the case of alkali, *Fells* 7163–7168. 7186–7193——Reference to statement showing for various canals the provisions under which salt is treated not less favourably than articles now included in Class A., *ib.* 7169, 7170. 7184, 7185.

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Explanations in connection with Tables or Estimates (*pp.* 558–560) of the revenue which would accrue to the Trustees from tolls on the basis of the proposals of the Salt Union and of the Board of Trade, respectively, *Fells* 7220 *et seq.*——Expected increase of salt traffic if the toll be reduced, as proposed, *ib.* 7256, 7257.

Injurious effect of the present toll as regards the competition of Liverpool with other parts, *Fells* 7258-7262——Satisfaction to be given by a mileage toll on a reduced scale, if no reduction can be obtained in the present all-over toll; approval of the latter if on an equitable basis, *ib.* 7263–7270.

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6. *Representations on the part of the Salt Union, &c.*—continued.

Limited competition with the Salt Union from Northwich; reference hereon to an understanding with Messrs. Brunner, Mond & Co. for stopping competition, *Fells* 7271–7277. 7414. 7426–7428——Means of transferring some work from Winsford to Northwich: greater cost of manufacture at the latter place, *ib.* 7322-7326.

Repetition of complaint as to the unfair and exceptional treatment of salt in comparison with alkali, only 8*d.* being charged upon the latter article, *Fells* 7396–7412——Depressed condition at present of the Cheshire salt industry, there being no intention to increase the works either at Northwich or Winsford, *ib.* 7422–7425——Very little alteration in the price of salt in recent years, there being a small increase through dearer labour and fuel; tendency of the Salt Union to reduce prices, *ib.* 7429, 7430. 7435.

7. *Income and Expenditure, generally, with special reference to the Charges on Salt, and the necessity of sufficient Revenue for the efficient Maintenance of the Navigation:*

Sufficient margin of revenue if the tolls now asked for be sanctioned by Parliament and if there be no further shrinkage in the coal and other traffic; required income of not less than 45,000*l.* a year till the whole of the improvements are completed, *Verdin* 5980–5986. 5997, 5998. 6015–6025——Bill to be brought into Parliament in 1895 for the reconstitution of the Weaver Trust; expediency meanwhile of the Trust being strengthened financially, *ib.* 6026-6032.

Payment practically out of salt of the former improvements upon the canal, and of the surplus profits handed over to the county of Chester, *Verdin* 6036–6039——Statement to the effect that between 1884 and 1890, whilst 85,000*l.* was borrowed, 95,000*l.* was paid over to the county by way of surplus profits; large expenditure on new works in this period, *ib.* 6040–6050. 6281–6286——Somewhat better revenue of the Weaver Trust in 1894 than in 1892 or 1893, *ib.* 6081-6089.

Further explanations respecting the revenue and expenditure of the Trust and the financial effect of the several proposals, *Verdin* 6133 *et seq.* 6250–6133.

Witness (who is general manager and clerk to the River Weaver Trustees), submits sundry particulars respecting the income and expenditure of the Trust, and the cost of dredging and of maintenance generally, *Inman* 6391 *et seq.*——Payment to the county from time to time since 1778 of any surplus revenue, *ib.* 6392–6394.

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Tables handed in, and explanations thereupon respecting income and expenditure in different years, repairs and maintenance, and the tolls derived from the different kinds of traffic, *Inman* 6395 *et seq.*

Explanations with reference to the borrowing powers of the Weaver Trustees, the extent to which exercised, the balance now owing, and the charge for annuities, *Inman* 6583–6618. 6740-6742——Objections to any postponement of the payment of annuities so as to lighten the present annual expenditure, *ib.* 6615–6618. 6650–6656.

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Statement purporting to show that the improvements along the navigation have been made chiefly at the instance of the salt proprietors, those contemplated between Northwich and Winsford being no advantage whatever to witness, *Moore* 6947–6957. 6974–6977.

As chairman of the Northwich Local Board witness shows the great importance of the Weaver Trustees having sufficient funds at their disposal for replacing the Town Bridge at Northwich (now in a dangerous state) by two swing bridges, *Weston* 6978–6988. 6996–6998.

As chairman of the Winsford Local Board witness submits that there is a strong local feeling in favour of the proposals of the Weaver Trustees as a means of raising funds for carrying out certain improvements up to the town, *Garfitt,* 6999–7006.

Importance to Winsford of the navigation being improved up to that place as proposed by the Weaver Trustees; large local contribution towards the expenditure on the navigation, *Gillett* 7036-7040.

Reference to statement (*p.* 561) showing that the revenue (exclusive of the miscellaneous receipts) accruing to the trustees on the basis of the proposals of the

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7. *Income and Expenditure, generally, &c.*—continued.

Salt Union would be amply sufficient for the maintenance of the river and the repayment of annuities and interest, *Fells* 7243–7252 —— Room for economy of expenditure by extending the payment of annuities over a longer period, *ib.* 7252–7255. 7346–7354——Improvement of the navigation with reference mainly to the benefit of the salt trade, *ib.* 7278–7280.

Examination upon questions purporting to show certain inaccuracies and miscalculations in the tables and figures submitted by witness respecting revenue and expenditure and the effect of the proposed reduction of the salt toll, *Fells* 7327–7345 —— Means of effecting large economies, the present salt toll being absolutely more than the trade can afford, *ib.* 7346–7354. 7359, 7360. 7395.

Very heavy burden upon the Cheshire salt trade in respect of the Weaver improvements, whilst the trade has contributed an enormous sum in past years in relief of the county rates, *Fells* 7355–7358 —— Necessity doubtless of the navigation being efficiently maintained, this being feasible by saving of interest, &c., without the imposition of the present excessive toll upon salt, *ib.* 7393–7395.

Schedule showing the tonnage and revenue from white salt, rock salt, coal, and goods and chemicals, in each year from 1866 to 1894, *p.* 490.

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Details as to the receipts in 1893 and 1894 from tolls, from docks and rents, and from exceptional sources of income; also the cost of repairs and maintenance under different heads, *pp.* 513–515.

8. *Acceptance by the Committee of the Schedule of the Weaver Trustees as regards Salt, &c.:*

The Committee accept the Schedule proposed by the Weaver Trustees, *p.* 582.

9. *Conflicting Evidence upon the Question of retaining the Toll of 6d. a Ton upon Salt going over the Weston Canal:*

Statement as to the importance of the retention of the charge of 6*d.* a ton for salt upon the Weston Canal; valuable protection thereby against diversion of traffic, *Verdin* 5987–6002. 6013, 6014. 6020–6023——Great value of the Weston Canal toll as a means of preventing brine being taken out of the district, and of checking subsidence; immense injury to Northwich and Winsford if brine were pumped away from those districts, *ib.* 5988, 5989. 6003–6012.

Explanation as regards the bar-toll on the Weston Canal that it is proposed not only to maintain it on salt, but to put a similar toll on chemicals, &c., *Verdin* 6032–6035——Very general interest of the town of Northwich in brine pumping and in the retention of the bar toll upon the Weston Canal, *ib.* 6239–6244.

Grounds for the proposed maintenance of the existing bar toll on the Weston Canal and for extending to chemicals the protection which exists for salt, *Inman* 6537–6564——Injury apprehended as regards the pumping of brine, and the effect upon the local salt works if the Weston Canal toll be removed, *ib.* 6554–6564.

Great protection to Northwich and Winsford by maintaining the 6*d.* toll on the Weston Canal, *Moore* 6971, 6972——Great interest of Northwich and to a lesser degree of Winsford in the pumping of brine for the salt and alkali trades, it being most important, with reference to subsidence at Northwich, that the toll on the Weston Canal be retained, *Weston* 6989–6995.

Conclusion that Winsford would be practically ruined if the brine for the salt works were pumped away, and that on this score it is most inexpedient to remove the toll of 6*d.* now charged on the Weston Canal, *Garfitt* 7007–7011——Decided approval of the retention of the toll on the Weston Canal, *Gardner* 7026——Immense importance attached by Winsford to the retention of the 6*d.* toll on the Weston Canal, probable ruin to the town if this toll be removed, *Gillett* 7041–7048.

Grounds for objecting to the retention of the bar toll of 6*d.* on the Weston Canal, *Morrison* 7102 —— Decided objection to the bar toll on the Weston Canal, as causing diversion of traffic as well as a loss of revenue to the Weaver trustees, *Fells* 7104–7214 —— Obstacles to any removal of the Salt Union works in the event of the Weston Canal toll not being retained, *ib.* 7212–7215.

Examination as to witness' grounds for the conclusion that the Weston Canal toll should be removed; explanations hereon as to the capacity and the ownership of the pipe for conveying brine to the salt works and as to the contingency (if the toll be removed) of new competitive works being established out of the district, *Fells* 7281–7308.

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9. *Conflicting Evidence upon the Question of retaining the Toll, &c.*—continued.

Further evidence in favour of removing the Weston Canal toll, chiefly as enabling an alternative route to be freely used, witness contending that there need be no apprehension whatever as to transfer of works in connection with the use of the brine pipe, *Fells* 7361–7392. 7415–7421. 7436–7447.

10. *Decision of the Committee to retain the foregoing Toll:*

Decision of the Committee that the 6*d.* toll upon the Weston Canal shall remain, *p.* 582.

11. *Rock Salt:*

Low toll charged on rock salt in view of the small profit, *Verdin* 5960——Examination as to the relative incidence of the tolls proposed by the Board of Trade upon white salt, rock salt, alkali, and other articles; exceptionally large percentage of toll as compared with value in the case of rock salt, *ib.* 6053, *et seq.* 6274–6280——Grounds for statement that some concession is proposed by the trustees as regards rock salt, *ib.* 6094–6104.

12. *Conflicting Evidence upon the Question of increasing the Toll on Chemicals (Alkali, &c.) from* 8*d. to* 1*s. per ton:*

Explanation as to the reduced toll of 8*d.* per ton upon chemicals, crates, pottery, &c., the reduction having been made many years ago when the traffic in these articles was small; reference especially hereon to the works of Messrs. Brunner, Mond & Company, near Northwich, *Verdin* 5927–5940.

Reduced revenue of the trustees in the years in 1892-93 and 1893-94 entailing considerable indebtedness to their bankers, so that it has been proposed to increase the toll upon chemicals, &c., from 8*d.* to 1*s.*; postponement of any action till the matter came before the present tribunal, *Verdin* 5941–5953. 6081–6085——Several grounds upon which it is claimed as fair and reasonable to charge 1*s.* a ton upon chemicals, &c., as well as upon salt, *ib.* 5954–5961.

Want of an increased toll as a means not only of paying off existing loans but of raising new loans for the navigation and carrying out new works, chiefly between Winsford and Northwich, involving an expenditure of 60,000*l.*, *Verdin* 5962–5979. 6015–6025——Unfair advantage to Messrs. Brunner, Mond & Company, as against the salt industry under the proposals of the Board of Trade; examination in detail as to witness' grounds for this conclusion, *ib.* 6105 *et seq.*

Evidence in support of proposal for raising the toll on chemicals from 8*d.* to 1*s.*, the traffic being able to bear it, *Inman* 6478–6509. 6657–6671.

As representing Messrs. Brunner, Mond & Company, witness supplies statistics respecting the traffic of the companies upon the Weaver, the tolls paid, &c., and submits several grounds of objection to the proposal of the Weaver Trustees to increase the toll on chemicals from 8*d.* to 1*s.* per ton, *Hewitt* 6747–6823.

As Chairman of Bowman, Thompson & Company, Limited, whose alkali works are at Lasteck Graham, upon the Weaver Canal, witness supplies details relative to the traffic sent by the company over the canal and the tolls paid, and submits several grounds for objecting to the proposed increase of toll from 8*d.* to 1*s.*, *Bowman* 6824–6885.

Probable use of the Manchester Ship Canal, rather than of the Weaver route, if the toll by the latter be raised to 1*s.*, *Bowman*, 6836–6838. 6860–6864——Non-objection to the slight increase proposed by the Board of Trade, whose Schedule is fair and equitable, *ib.* 6848.

Examination to the effect that Messrs. Bowman, Thompson & Company would probably remove their traffic to the Manchester Ship Canal if the Weaver toll on chemicals were raised from 8*d.* to 1*s.* per ton, *Knowles* 6886–6926.

Very extensive interests of the Northwich Carrying Company, Limited (of which witness is General Manager) in the conveyance of chemicals of all descriptions of articles for traders on the Weaver Canal, between Northwich and Liverpool, *Moore* 6927–6936. 6957——Strong objections of the company to the proposals of the Weaver Trustees, especially as regards an increase of the toll on chemicals, &c., from 8*d.* to 1*s.* per ton——Expected diversion of traffic thereby to the great injury of witness' company, *ib.* 6937–6945. 6959–6970——Expected large increase of traffic to be carried by the company if the present toll of 8*d.* be maintained, *ib.* 6942–6946. 6958.

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13. *Adoption by the Committee of the proposed Increase as regards Chemicals, &c.:*

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14. *Coal:*

Grounds for concluding that loss of revenue would result from the Board of Trade proposals as regards the toll on coal, *Inman* 6678–6691.

Increased revenue estimated from coal traffic under the proposals of the Salt Union, an increased toll being suggested if the toll on salt be reduced, *Fells* 7302–7315——Saving by the Salt Union of from 9,000*l.* to 10,000*l.* a year by the proposed reduction of tolls, whilst the increase upon coal would be very small, *ib.* 7316–7321.

15. *Potters' Materials:*

Explanation respecting the toll on potters' materials in connection with the proposed increase of the toll on chemicals; reference hereon to the toll of 8*d.* upon the traffic from the works of Messrs. Bowman, Thompson & Company, *Inman* 6692–6707.

16. *Generally as to the Proposals of the Board of Trade and their effect, if adopted:*

Result of calculations as to the serious loss of revenue under the Board of Trade proposals for mileage tolls upon salt, coal, &c., *Inman*, 6512–6536.

Opinion that the Board of Trade Schedule for the Weaver is a very fair one, *Moore* 6937——Explanation that on the whole witness strongly approves of the proposals of the Board as being fair and reasonable, though they continue to some extent the special disability upon salt, *Fells* 7430–7434.

Statement showing the approximate value, at the works, of various commodities, and the percentage of the tolls on such value, on the basis, respectively, of the Board of Trade proposal and of the Salt Union proposal, *p.* 494.

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17. *Final Settlement by the Committee;*

Settlement in this case finally arrived at, some further amendments being made in the Provisional Order, *p.* 587.

18. *Summary of Proceedings:*

Summary of the proceedings of the Committee, showing the several amendments proposed and the extent to which adopted, *Rep.* xxix–xxxii.

Wells, Lionel. (Analysis of his Evidence.)—Considerable experience of witness as a Civil Engineer in connection with canals, 1892–1896. Data for the calculation that the Macclesfield Branch of the Trent and Mersey Canal cost about 22,900*l.* (for a mile and a-half), the average of the Trent and Mersey being between 11,000*l.* and 12,000*l.* a mile, 1897–1925.

Result of witness' experience as former Engineer to the River Weaver Navigation that power to make an exception charge for steam haulage, as proposed on the part of the Bridgewater Canal, would be very inexpedient, 2425–2454——Absence of any such power upon the Weaver Navigation; great disadvantage if there were a special charge, 2429–2443.

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Great interest of Northwich, and, to a lesser degree, of Winsford in the pumping of brine for the salt and alkali trades, it being most important, with reference to subsidence at Northwich, that the toll of 6*d.* on the Weston Canal be retained, 6989–6995.

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Willson, John Charles. (Analysis of his Evidence.)—Witness, who is Assistant Manager of the Manchester Ship Canal, was connected for 40 years with the Bridgewater Navigation, and is well conversant with the Rochdale Canal; he represents the views of traders associated with the Lancashire and Cheshire Conference, 3603–3606. 3612, 3613. 3671–3673.

Information respecting the cotton, timber, and other traffic which goes over the Rochdale Canal from warehouses (on the canal) belonging to the Bridgewater Navigation; reference chiefly to the portion of the canal between Failsworth and its junction

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junction with the Bridgewater Navigation, 3606–3618——Particulars relative to the charges of the Rochdale Company upon certain short-distance traffic, and the effect of the bonus mileage proposed by the company; grounds for contending on the part of traders that the traffic to and from the Ship Canal would be greatly prejudiced by the proposed increase of charge, 3618 *et seq.*

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Woolley, George Henry. (Analysis of his Evidence.)—Witness, who is acting clerk to the Erewash Canal Company, supplies sundry particulars respecting the exemption under an Act of 1777 of stone and road material carried over the canal for adjoining parishes, and submits grounds for objecting to the further continuance of the exemption, 5301 *et seq.*

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